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August 1964

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~~CONFIDENTIAL~~

Re: Mark Lane

On Tuesday, July 21, 1964, a fifth confidential source and a sixth confidential source attended Mark Lane's lecture at Theatre Four, New York City. Both sources furnished information concerning this lecture, the content of which was substantially the same as furnished by the first confidential source.

In addition, the fifth confidential source advised that on July 21, 1964, Lane made the statement that there were six witnesses in Dallas, Texas, who had not been questioned by the FBI, the Secret Service or the Dallas Police Department. Lane continued that he would be returning to Dallas soon himself to continue his investigation.

On July 21, 1964, the sixth confidential source stated that when introducing Lane on that date, Deirdre Griswold identified herself as the National Director of the CCI.

During the question-and-answer period Lane discussed "new facts" received by his investigators from James Markham, the son of Helen Markham. According to this source, it was indicated that Lane had learned from James Markham that Helen Markham was possibly a psychopathic liar.

This source further stated that near the conclusion of the meeting Lane announced that in November, 1964, there would be a conference in London, England, of all CCIs throughout the world on the Oswald case. He stated this conference would be attended by such notables as the French author Jean-Paul Sartre and the famous Dr. Albert Schweitzer.

On Thursday, July 23, 1964, a seventh confidential source furnished information concerning the Mark Lane lecture given on that date at Theatre Four, New York City, the content of which was substantially the same as that furnished by the first confidential source. In addition,

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ON 4/28/98 *dal*

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Lane, Mark

AUG 4 1964

Mr. Mark Lane
164 West 79th Street
New York, New York

Dear Mr. Lane:

This will acknowledge receipt of your telegram dated July 30, 1964. The information contained in your telegram is receiving appropriate consideration by the Commission.

Sincerely yours,

J. Lee Rankin
General Counsel

HPWillens/smh
8-4-64

cc: Mr. Rankin
Mr. Willens

*1m3
8/4/64
J.L.R.*

Lane, Mark

AUG 4 1964

Mr. J. Edgar Hoover
Director, Federal Bureau
of Investigation
Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Enclosed is a copy of a telegram received by the Commission from Mr. Mark Lane. The Commission would appreciate your conducting an appropriate investigation concerning this matter, including an interview of Attorney Melvin Belli regarding the statements he is alleged to have made.

Thank you for your assistance.

Sincerely yours,

J. Lee Rankin
General Counsel

HPWillens/smh
8-4-64

cc: Mr. Rankin
Mr. Willens

*1005
8/4/64
J. L. R.*

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**“Bobby Kennedy
is the most vicious,
evil — — — in
American politics
today,” says lawyer
Melvin Belli.**

fact:

JULY-AUGUST 1964

VOLUME ONE, ISSUE FOUR

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Guest Illustrator: Ronald Chereskin



The Bellicose Mr. Belli

By Warren Boroson

To some people, he's a court jester, a publicity-mad pettifogger; to others, he's the only living lawyer fit to wear the mantle of Clarence Darrow

"My best recommendation," says lawyer Melvin M. Belli, "is my enemies." He has a good point. For over 30 years Melvin Belli has been mercilessly skinning the fat-cats and scalping the big-wigs of American society, and his enemies as a result are as formidable as they come—the most regal of economic royalists and the most princely of princes of the blood. Belli's powerful enemies have been instrumental in foisting upon the general public a picture of him as a court jester, a publicity-mad pettifogger, but the plain truth is that Melvin Belli is one of the very few genuine people's lawyers practicing today and the one living lawyer most fit to wear the mantle once worn by the great Clarence Darrow.

Belli's lust for strife is so insatiable that he almost makes Ivan the Terrible seem as timid as President Eisenhower. Just recently, for example, a new name was added to his drop-dead list: the U.S. Attorney-General, Robert F. Kennedy, brother of the man killed by the man killed by the man Belli defended. "Bobby Kennedy," Belli says with aplomb, "is the most vicious, evil son-of-a-bitch in American politics today. He's been bad ever since college. He's a hypocrite—why, he's no more concerned with getting civil rights for Negroes than the head of the American Communist Party. If he thought it'd win him votes, he'd see to it that all Negroes

had to be whitewashed before they could enter an all-white school. Sure he wants to be President, but what he *really* wants is to become head of the universe. The *Pope* isn't safe with that little bastard around."

Belli and Bobby have never met—their only contact has been a series of three letters Belli wrote to the Attorney-General about gambler Mickey Cohen, one of Belli's clients. All went unanswered. "Hell, I wouldn't write that many times to the Archbishop of Canterbury," says Belli. "He's arrogant, rude, and even ignorant of the law. He's the moneyed Little Lord Fauntleroy of government. Every newspaperman knows what he is, and even Johnson can't stand him, but everybody is too scared of the son-of-a-bitch. I suppose I can expect a knock on the door some night for what I've just said.

"The little tyrant ran roughshod over Hoffa, and there are a lot of things Hoffa's done I don't like, but there are some I do—he's done a great deal for unionism, he's built a cohesive organization, improved conditions, made the Teamsters a power. If Hoffa has done wrong, the law will take care of him—he doesn't have to be persecuted. It just shows that Kennedy doesn't respect our democratic processes.

"Bobby's different from his brother, all right. Jack bought the Presidency, there's no denying that, but he could have lived it down.

FACT

Others have. I met him in San Francisco during the campaign and I was very impressed. Another year and he could have made a magnificent President."

Bobby Kennedy isn't the only person who knows better than to expect a Christmas card from Melvin Belli this year. Belli (the name is pronounced "Bell-eye," but he doesn't correct anyone who says "Belly") also speaks bitterly of Richard Nixon, coming right out and calling him dishonest for pulling strings for industrialist Howard Hughes back in the '50s after Hughes had loaned Nixon's family \$205,000. And when I asked him what he thought about capital punishment, Belli shot back, "I'm against it because it doesn't do a damn thing to deter crime, only a brutalized community allows it, and we have no right to make that ultimate judgment. Why, when you listen to the creeps who want capital punishment you get the feeling they want to pull the switch themselves. Now that I think of it, though, the *main* reason I'm against it . . . is that Dick Nixon is wholeheartedly for it."

* * *

Belli particularly relishes mixing it up with someone bigger than he is. Take his running feud with that lawyers' social club, the American Bar Association. For years he's been twitting the insurance-company lawyers, John Birchers, and segregationists who run that organization (fittingly enough, his own membership plaque hangs on his bathroom wall, upside down). And now that a few of the A.B.A. kingpins are thinking of drumming him out of the ranks (ostensibly because of his outburst after the Ruby-trial verdict but actually because, embittered by his abuse, for years and years they've been salivating for his scalp), and now that it might be smart if Belli cooled it a bit, suddenly he's begun shouting from the rooftops everything he knows and loathes about the A.B.A. "Over the years I've been at war with the few 'leaders' of the American Bar Association," he says, "because they want the American lawyer to be a conforming, second-rank professional—a sort of athletic supporter to insurance companies and big business. I want the American

lawyer to be a leader.

"The American lawyer has lost all his individuality, and with his individuality his sense of *individual* conscience, ethics, and courage. He's joined a big firm and now he too has become big business. The individual lawyer, who to me was first and foremost a trial lawyer, has become the corporation lawyer, the tax lawyer, the accountant lawyer. He's become a ledger jockey for corporations seeking to evade payment of taxes.

"In the old days it was to the lawyer, the individual lawyer, that the community looked for leadership. When there was a Red Cross drive, a swimming pool to be built, an emergency to be met, it was the lawyer who gave leadership—not a banker or an insurance man or a businessman, as now. The lawyer was something *special* in his community. He stood for integrity as well as individuality, and he stood for imagination and courage as well as freedom of speech.

"What's happened to him? He's succumbed to American Bar Association-itis. American Bar Association presidents on the social circuit—after the *filet mignon* and the *petits fours*—usually have an inspiring subject for their talks: *The Defense of Unpopular Causes*. Yet these same men approve the abolition of law-school courses that would actually *teach* the student lawyer how to try an unpopular cause. A.B.A. presidents talk eloquently about the lawyer's duty to represent his unfortunate brother—until it comes time to represent these poor devils, the defendant in a child-rape case, a Negro in the South, a Communist anywhere in America, a *live* Oswald. Then there's the mad scramble back to the corporation desks, accompanied by, 'Sure he's entitled to the best defense, but *you* defend him—I can't afford to.'

"It's been my bitter complaint against the American Bar Association that, since its beginnings, it has not spoken for the *individual*, the grass-roots American lawyer. Instead, it's spoken for the corporate cash register, the right-wing conservative, the status quo, the fat few, those who have against those who have not. It has spoken against the old child-labor amend-

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ment, and until very recently it spoke against every forward piece of legislation in Congress. Proponents of the return to 'McKinley's America' had but to call upon the American Bar Association whenever they needed a voice against progressive legislation. The American Bar Association is a rich man's club, run by insurance companies and by insurance companies' lawyers; it does not represent the individual practitioner, and it does not stand for the cause of justice. It has an ignominious history of fat-catism, Jim Crowism, and McKinleyism."

* * *

If Belli is somewhat pained when he thinks of the modern American lawyer, he positively retches when he thinks of the modern American doctor. (The dislike is more than mutual: The name Belli is for most physicians synonymous with malpractice suits. Belli has tried more malpractice suits against doctors and hospitals than any other lawyer alive, and more successfully, too.) What irritates Belli no end is the medical men's conspiracy to protect their buddies whenever one of them commits a botch. "It's a notorious fact that you can't get one doctor to testify against another. I don't care *how* flagrant the case is. Good old Dr. Joe may have come into the operating room dead drunk, carrying a rusty knife and wearing an old pair of overalls, but as long as good old Dr. Joe is a member in good standing, no doctor will testify against him. You can force a doctor to take the stand as a witness, but all you can get out of him is something like, 'Old Joe *did* have an untoward result in this case, but such things do happen often, and old Joe can scarcely be held to account.'

"The medical profession insists on setting itself apart, it tries to make itself immune from retaliation for careless and even criminal acts. If you ever actually *get* a doctor to take the stand and testify against another doctor, he'll be ostracized for life."

Another squabble that has noisily dragged on down through the years is *Melvin M. Belli v. the Old Holy Grail Insurance Company*. In a typical year, Belli successfully sues insurance companies for over a million dollars—they're the defendants in 9 out of every 10 cases he

tries. As a personal-injury lawyer, Belli has, more than anyone else, led the way in getting American judges and juries to give reasonable awards to people injured, physically or emotionally, because of someone else's negligence—those struck down by drunken drivers, those who discover a week after an appendectomy that the M.D. left a sponge in their insides, those who sit down in theater seats (an actual case) onto which the previous occupant has defecated, those taken ill at cocktail parties when they discover (another actual case) that the "new" dress they are wearing smells of embalming fluid—because at the last moment it was wrenched off a corpse and returned to the store. Belli's brilliant court techniques, relying heavily on "demonstrative evidence" (the exhibition of artificial arms, prosthetic hands, skeletons, huge photographs of the plaintiff after some hideous injury), have been gratefully and profitably imitated by personal-injury lawyers throughout the land. And if all this weren't enough, Belli—on his own time—has given many, many helpful lectures to personal-injury lawyers, written books to guide them, and was even the moving spirit behind the formation of the National Association of Claimants' Counsel of America, a lively bunch of lawyers who exchange tips on how to get insurance companies to fork over. In brief, Belli is to insurance companies what—well, what Belli is to the American medical profession.

Having dealt the insurance people a few staggering blows to the midsection, Melvin Belli is now concentrating on roundhouse rights to the head. "The trouble with insurance-company executives," he says, "is that they forget that the money they have is money they're holding in *trust*. They forget that the money is the public's money, given to them by you and by me, to protect anyone that you or I happen to injure. You and I, God knows, don't want to short-change cripples. But the insurance companies stupidly think of that money as *theirs*, and they'll be damned if they'll give it up without a fight. Did you ever try to *collect* some money from a big insurance company?

"And do you know how much a stock-in-

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insurance company takes out of your premium dollar? Half of it. Only *half* of your dollar goes to pay for property damage and personal injuries. All the rest is eaten up by salesmen, agents, brokers in commissions, excessive administrative expenses, distributions to surplus, and payment of dividends."

Insurance-company adjusters are as bad as their bosses, Belli goes on, and sometimes even cruddier. Because they're underpaid, it galls them no end to give someone else what *they* regard as a whopping fortune. "They'll call on the plaintiff as he lies on his bed of pain, slip him the glad handshake, a cigar, a box of Band-Aids to put on his fractured pelvis, and 29 cents in stamps, and get him to sign a release waiving all further claims. The poor dumb plaintiff doesn't know what the hell's coming off. Or they make *ether* settlements. In an ether settlement, the adjuster waits until the poor bastard is just regaining consciousness, and *then* shoves the release and pen at him. (It's only illegal if you get him to sign while he's *still* unconscious.)"

* * *

For his latest blood-feud Belli has once again pitted himself against a tough customer—Dallas, Texas. According to a sociologist who served some time there recently, Dallas is run by an upper-crust that calls itself the Citizens' Council, a happy little oligarchy that knows everything it wants is right because it has the money and the power to prove it. Other recent visitors report that typical denizens of Dallas are mean-minded, mean-spirited yahoos, so poisonously ignorant and parochial that they begin frothing at the mouth when someone uses a word they don't know (like the psychological term "fugue-state," which so perturbed Ruby's prosecutor, Henry Wade), or when they meet up with someone who isn't quite convinced that Barry Goldwater is the brightest guy around or who has doubts that the Golden Age will be ushered in as soon as Earl Warren is impeached. As for the typical Dallasite's chest-thumping patriotism, the general impression seems to be that he'd vote for Khrushchev for President if it would make him some fast dough. Dallas is

the place where judges read comic books while court is in session, where jurors go to sleep while experts testify, where the prosecutor refers to a defendant as "the Jew boy" and cutely insinuates that the defendant's lawyer is a Red because, to quote Mr. Wade, "He writ a book about Roosha" (*Belli Looks at Life and Law in Russia*, by Melvin M. Belli). Maybe it was only a trick of fate that Oswald killed Kennedy there, but no other city in America would have been so appropriate. A year before the assassination, writer John Bainbridge in *The Super-Americans* called Dallas "the murder capital of the world."

Belli, having had his own dose of Dallas, fired away with a few of his trusty bellistic missiles. He told the Ruby-trial jury, "Thank you for a verdict of bigotry and injustice"—on national TV yet. He has publicly berated the city's "dictatorial" Citizens' Council and its "publicity-conscious" prosecutors, maintained that his client was "railroaded," pointed out that the trial Judge, Joe Brantley Brown, is locally known as "Necessity" Brown,* and summed up his impressions of the biggest city in the greatest state in the union this way: "Dallas is a city of hate and shame, a rich, oligarchical, festering sore." Somehow the parlor Fascists who run Dallas (and most of Texas), the men who hired a public-relations man to protect Judge Brown, who let everyone know, apparently successfully, that they wanted Ruby convicted, and who through the plutocratic right-winger H.L. Hunt offered Belli \$100,000 *not* to defend Ruby, didn't cotton much to such loose talk. Ever since the trial, the beady eyes of Texas have been upon Melvin Belli. "After I got back to San Francisco," he says, "I found that my insurance policies had been canceled, a book publisher had reneged on bringing out my *Black Date: Dallas*, my mortgages were called, my name withdrawn from official lists of lawyers, my credit was frozen, TV shows and lectures canceled. I'm not paranoid, but it's those bastards in Texas who were behind it. You can't imagine the strength and power of that wicked city of Dallas—they're really vicious down there." Despite his vast experience with vendettas, Belli

* "Necessity knows no law"—Publilius Syrus.

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was genuinely awed by the swiftness and the authority with which the Dallas multimillionaires had retaliated, and also by all the hate mail he suddenly began getting from down there (a rather tame one began, "Dear Rectum"). He was, of course, about as intimidated as a bull someone has whacked across the head with a dandelion. As soon as he found the time, he sat down in his San Francisco office, erected a new motto on his bulletin board (DELEND A EST DALLAS!!!), and began furiously and joyously completing *Black Date: Dallas*. "Those stinking bastards," he promises, "won't know what the hell hit 'em."

* * *

Melvin Mouron Belli, now age 57, first gave the world a hint of his penchant for pugnacity when, as a lad of 17 growing up in Sonora, California, he sued his high-school principal. It was a remarkable thing to do, but Belli came from remarkable stock: Most of his male relatives were doctors, and his grandmother was the first lady pharmacist in the history of California. The *casus belli*, as far as the principal was concerned, was as follows: Belli had been named valedictorian at Stockton High School, but the night before he was to deliver his address he came down with an attack of drunkenness, and the after-effects were such that he was prevented from even putting in an appearance the next day. The principal, horrified when he heard the story, decided to withhold Belli's diploma. The young man visited a friendly judge for advice, slapped the principal with a half-dozen writs, replevins, and bench warrants, won his diploma, and realized he had been called.

Probably one would have to probe deeper to discover the origins of Belli's bellicosity and his sympathy for the underdog, but that will have to wait for the autobiography he's writing. In any case, he went from high school to the University of California at Berkeley and thence to law school at California's Boalt Hall. Even in those days he was quite a wheeler-dealer: One way he supported himself (his father, an investor, had gone broke) was by writing away for free samples of soap, shaving cream, and so on, then selling them to his fraternity broth-

ers. Belli got his LL.D. in 1933 and began working for the government. His assignment: snooping on the Okies. He posed as a bum, got arrested dozens of times throughout the West Coast, and learned what he never learned in law school—that kangaroo courts still exist in these United States.

Gradually Belli built up a thriving law practice in L.A. and Frisco, and he did it simply because of the shrewd, painstaking, colorful way he conducted, and won, his cases. He has always scorned the "Boston Blackstonian in a Brooks Brothers suit" type of lawyer, and his own courtroom tactics are dramatic, surprising, imaginative, and occasionally a trifle hammy. His tactics have led the press, with wearying regularity, to characterize him as "flashy" and "flamboyant," two words he has come to loathe. "Reporters," says Belli, somewhat aggrieved, "visit me on week-ends at home, when I'm wearing a flaming red sports shirt and cowboy boots, then go back and say I'm bizarre and flamboyant. Well, I've never gone to court dressed like that, and whatever colorful things I've done in court have been for dramatic interest, to bring in adequate awards for my clients. I've got as much respect for the dignity of the courtroom as anyone practicing."

Another source of annoyance is that many articles about him, even the admiring ones, make his court trials resemble scenes from one of the early Marx Brothers movies. This is certainly unfortunate, but perhaps unavoidable. One of his first cases, for instance, involved a man named Avilez, also known as the Black-Gloved Rapist, an unpleasant fellow sentenced to 400 years in jail. Belli, handling Avilez's appeal, was astonished by what his new client told him. "Why, he says the women would scream when he started and get angry when he stopped. Some of them would actually *assist* him in the act, then scream and call the cops and carry on like mad. Shocking!" Belli's spirited defense got the Black-Gloved Rapist's sentence reduced to 200 years.

Then there was the young fellow who, because his physician carelessly diagnosed cancer of the penis as a harmless old wart, had to be

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castrated. Belli gave the jury a vivid, unforgettable picture of the man's deprivation, pointing out that the plaintiff was 27 years old, had a life expectancy of 65, and, according to Dr. Kinsey, could have been expected to make use of his missing organ some 5929 times before giving up the ghost. "Ah, ladies and gentlemen of the jury," Belli sighed, "what value can we place on this? Can we place an arbitrary value upon a loss so devastating? Can we say that he should be awarded one dollar per occasion, or five dollars, or . . . ?" His point, made in an unusual way, was unusually effective, for the jury came across with \$100,000.

* * *

In another case, now a legend, Belli was representing a woman who had tragically lost a leg. For a few days he brought into court a long, narrow package, about the size of—a leg. It was wrapped, ominously enough, in butchers' paper. After he had milked the situation for all the suspense it had, Belli began unwrapping the package—slowly, and with evident distaste. To everyone's relief it turned out to be only an artificial limb. But the jury was properly shaken, and had gotten a taste of what a horrible, *real* thing the accident was. Award: \$100,000.

Another time, representing a circus fat man who became paralyzed after an auto accident, Belli felt it would help his case if he hauled the fellow before the jury. Trouble was, he weighed 682 pounds (he was so huge that even X-rays couldn't penetrate him). "The logistics," says Belli, "were like landing in Okinawa." No ambulance was large enough, so the fat man was hoisted onto a moving van. At the courthouse, another hang-up: The elevator itself was too small. Belli was stumped. Then he had a bright idea: He rented a crane. "We got the crane boom going," he recalls, "the fellow was on the bed, and they had just given the signal to raise him up when the insurance adjuster raced over and said, 'Here's your goddam \$10,000, now lemme go home. . . .'"

In another unusual case, Belli brought suit against a San Francisco undertaker. It seems that Belli's client was a young man who doted upon his mother, and when the old lady died

at 99, her son determined that her body would be preserved like the mummies of old. So he persuaded an embalmer to do a whiz-bang job on her and paid him lots of money. The embalmer, a rascal if there ever was one, did a quick \$39.50 job and pocketed the difference.

Later on, Belli's client began visiting his mother at the mausoleum. "I would go out to the mausoleum with my wife just to see how things were going," he said, "and we would sit around for a while and then go home."

After a few months the man got suspicious. "She was up in a niche in the wall, and I noticed a lot of ants and things crawling up the wall, so I got a-hold of the man in charge of the mausoleum and I said, 'What's going on here? Is everything all right with mother?' and the guy said, 'Sure, it's nothing, the ants come here because they're attracted by the flowers. I'll just spray them.'"

Another couple of months went by. Belli's client got increasingly upset. "I kept seeing more and more ants, so one Sunday I said to my wife, 'Let's get mother down from the niche and take a look.'"

The court record reads as follows:

Belli: And so then what? You got the coffin down out of the niche. Did you open it?

Client: Yes. The man from the mausoleum was there. You only need a screwdriver.

Belli: What did the man say?

Client: He kept telling us not to look, that we must be crazy.

Belli: But you opened it anyway?

Client: Yes.

Belli: And you looked?

Client: Yes.

Belli: And what did you see?

The cavernous courtroom was absolutely quiet. No one breathed. The face of the man in the witness-box became distorted with horror. Suddenly he let out a shriek so grotesque and blood-curdling that the judge turned white, Belli himself leaped back, and everyone else in the courtroom shuddered violently. It was minutes before the trial could be resumed, and when it was all over, Belli's client was \$10,900 richer.

Even outside of the courtroom Belli manages to be the life of the party. In 1957, for ex-

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ample, he introduced Professor O'Brien of the Harvard Law School to an American Bar Association convention in Miami. Dr. O'Brien spoke on the pitfalls of tax evasion, giving a salty if curious speech that ended with the line, "All I gotta say is, youse guys better pay your taxes." Professor O'Brien was later unmasked as gambler Mickey Cohen, just out of the pen after serving a few years for tax evasion. Needless to say, the A.B.A., like Queen Victoria, was not amused.

Partly because Belli goes in for shenanigans of this sort, to many people he doesn't project the knight-on-a-white-horse image that, say, Edward Bennett Williams does. Williams would never dream of palming Mickey Cohen off as a professor of law, any more than he would, as a lark, lead a delegation of tittering ladies into Errol Flynn's bedroom to gaze upon the actor sleeping in the nude (Belli did, in Paris, and almost lost Flynn's friendship). But Belli, as a human being, is as full of surprises as his courtroom tactics. A man who loves the Good Life, crêpes suzette, hamburgs, and Silver Cloud Rolls-Royces, he has spent his career defending the poor and the helpless. ("Bankers," he explains modestly, "seldom get hit by trucks.") A man in a profession notoriously sedate and stiff-necked, he is a hard-core Democrat, a man so impulsive he hardly lets a day go by without firing off a poison-pen letter to someone or other, a man breezily accustomed to delivering such slanderous asides as, "——'s such a lousy lawyer he couldn't get an Archbishop off for overparking on Christmas Eve." He may be a prankster and even the S. Hurok of the legal profession, but Belli is also one of the great lawyers of our time. He has written no fewer than 29 lawbooks, including *Modern Trials and Modern Damages* (in six volumes), *So That's the Law*, *The Adequate Reward and Demonstrative Evidence*, *Trial and Tort Trends*, *Life and Law in Japan*, *Tort and Trial Yearbook*, *Criminal and Medical Yearbook*, and *Modern Trials*, this last a work universally accepted as a modern legal classic. In his 30 years before the bar, he has lectured to medical societies, law schools, and groups of lawyers in

45 states. His knowledge of medicine is extraordinary, even in this day of forensic medicine, and frequently he is called in just to shake the testimony of some medical specialist (physicians on the witness stand will argue with him, "Yes, doctor, but on the other hand . . ."). During his long career Belli has defended such people as Caryl Chessman, Ferdinand Demara ("The Great Impostor"), Errol Flynn, Ann Jeffreys, Maureen Connolly, Mickey Cohen, and Mae West, and just a few months ago he won a whopping \$924,393 for the widow and child of pianist William Kapell, killed in an air crash in 1953. Before the Ruby trial (and this will surprise many people) Belli had defended over 100 other murderers. More than 100 times he has gotten awards of over \$100,000 for clients injured negligently, a record no other lawyer even approaches. His most historic case was a personal-injury suit he handled back in 1947. Representing the family of a fireman turned into a vegetable when his fire engine was rammed by a truck, Belli went all out to show that the fire engine's siren must have been audible to the offending truck-driver, putting 29 witnesses who had heard the siren on the stand and pinpointing their exact whereabouts on a huge aerial map. Up to then, typical awards in such cases were \$20,000 or so. Melvin Belli was the man who brought in the utterly flabbergasting figure of \$225,000. That case was one of the most important in the annals of American law, and by comparison it makes the trial of Jack Ruby piddling and inconsequential.

* * *

Melvin Belli has made many enemies and aroused lots of envy, but there is no denying that he ranks with Mike Fallon, Clarence Darrow, and Sam Leibowitz as one of the very greatest of American trial lawyers. Judge Theresa Merkle of the San Francisco Superior Court has said of him, "He is the best trial lawyer I have ever seen," and others who have gone on the record in appreciation of his ability and his achievements include William Prosser, former dean of the University of California Law School, the late Roscoe Pound of the Harvard Law School, Judge Michael A. Musmanno

FACT

of the Pennsylvania Supreme Court, and last, and least, Judge Joe Brantley Brown of Dallas, who has been quoted as saying, "This is the most brilliant lawyer that ever came into my courtroom." Indicative of the absolute adoration in which some people hold him is this letter he received some time ago from a lawyer in Minneapolis:

Dear Mr. Belli:

... I want to take this opportunity of thanking you personally for all that you have done for the lawyers of this country. I don't know when I have ever heard of an individual like you who has taken the time away from his own business and spent a year traveling around the country speaking before the universities and bar associations, educating the lawyers in how to obtain fair, honest, just results for men who are injured and widows who have lost their husbands. I sometimes wonder whether the plaintiffs' lawyers throughout the country have paused long enough to think of the great job you have done, and if they really appreciate the tremendous task you have performed in the interest of the injured man and the lawyers who represent these unfortunate individuals, who through no fault of their own have become bankrupt. I personally feel that you have done more good than any other lawyer I know of.

* * *

For people living on the Coast, this rehearsal of Belli's background is probably somewhat familiar. There Melvin Belli is a celebrity. Everyone knows about his three marriages and two divorces, everyone knows he keeps a skeleton in his office named Elmer, everyone knows that it was he who said, apropos of his efforts to get a divorce for Barbara Hutton and Prince Troubetzkoy, "It's practically settled—only a few million dollars is keeping them from being apart." Back East, though, hardly anyone had even heard of him before the Ruby trial. In fact, today the first question any Easterner asks him is, "Did Oswald really kill Kennedy?" The first question a West Coaster asks is, "Where's your next trial? I want to be there."

As an Easterner, I questioned him almost exclusively about the Ruby trial when I saw him a few weeks ago in New York. He was staying at the Americana Hotel, and I had telephoned him for an interview. It was 2 in the afternoon when I could see him, but he was still in his pajamas, the remains of a lavish breakfast

—the kind you see in Doris Day-Rock Hudson movies—lying on the table, and on a nearby bureau, stuffed with papers, a red-velvet briefcase. Once he had leafed through an issue of *Fact* he agreed to co-operate with a story, though when I eagerly pointed out that this article would give him national publicity, he gave me a scornful look and boomed, "I've had far too much national publicity already." Diplomatically, he added, "Actually, most of the press has been fair, very fair." I called to his attention the snide things *Time* had said. "Yes, well the editors of *Time* were fair, but their bastard in Dallas hated me. And I hated him."

In person Belli is not the overweight owl he appears to be in his photographs. He is, in fact, quite tall, as graceful and as athletically built as a first-baseman, and extraordinarily handsome. His speaking voice is magnificent, as delightful to listen to as the late Leonard Warren's singing (which it resembles), and he radiates charm, confidence, and happiness in being alive. Female jurors, I suddenly recalled, have occasionally complained to judges after a trial that Belli had "hypnotized" them into siding with his client.

We agreed to continue our chat the following day, at John F. Kennedy Airport, before he took off for San Francisco, and overnight I boned up on his background and prepared a list of questions. The next day he arrived at the airport a few minutes after I did, and I watched as the porters carried out his red-velvet luggage, slyly glancing at the name-tags. Belli and I spent about half an hour together, I jogging after him scrawling down everything he said, he striding along buying papers, checking the schedules, and ogling the airline stewardesses.

My first question was, "Would you have defended Oswald?" "Of course I would have, otherwise I would have had to hand in my shingle. I'm to hire to anyone."

Why did he take on Ruby as a client? "I was eager to take on the Ruby case because I believed then, and I know now, that Jack Ruby is a sick man, and I thought I could do something for him, for psychiatry, for law, for tolerance. The Rubys promised me a fee of

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\$100,000, but the only thing I came out of that trial with was a stack of bills the Rubys left, their checks marked 'insufficient funds,' and the knowledge that our good common law can still be raped in some American cities. I didn't receive one cent in fees from them, and I don't suppose I'll ask for anything now, though I will submit a brief for the appeal. They can throw it in the wastebasket if they want to. Of course I don't blame them for getting another lawyer—I couldn't stay in Dallas after the trial, or anywhere in Texas. But I would do today exactly what I did then.

"Because I was present and learned firsthand what went on in Dallas from the time our President was assassinated until that Dallas jury returned its verdict against Jack Ruby, I cried out that the jury was bigoted—not from hearsay, but because I am the father of 5 children and I am in fear for my law, and for my country, because of the sickness and hate I saw in Dallas.

"When Clarence Darrow tried the Scopes case and a guilty verdict was announced, he too cried out such exact words as 'bigot,' 'hypocrite,' and 'narrow-minded.' Samuel Leibowitz went to Alabama to try the Scottsboro case and 'railroad' was just *one* of the words he used to castigate the jury. He spoke of the jurors 'looking like frogs sitting on a log, their thin cruel lips stained with tobacco juice. . . .' Supreme Court Justice Felix Frankfurter cried out against the jury *and* the judge in the Sacco-Vanzetti case, and with far more vitriol and vehemence than my remarks against a more bigoted set-up in Dallas.

"The president of the American Bar Association, Walter Craig, said I was guilty of 'unethical conduct' as a lawyer because I publicly denounced the Dallas jury on national television. But he spoke for no one but himself—he had no right to speak as the president of the A.B.A., and he hadn't consulted with any committees. He didn't tell the news media when he called his *ex parte* news conference that he and I have had *personal* animosities throughout the years. And where was he when the Dallas prosecutor said on TV, about Oswald, 'Oswald is the guilty man,

there is no doubt about it, and we are going to fry him'?"

I questioned him about Ruby's future, and about the trial. "Ruby very early gave signs of being psychotic, and anyone who wanted to see it could have. There's no question now—he's deteriorated. He's tried to insert his finger in a light-bulb socket, he's tried to bash his head against a wall. Everyone knows his conviction will be reversed on appeal, automatically, and they're all embarrassed as hell down there—they'd all like to shove it under the rug. Dallas is worse as a hate city now than it was at the time of Kennedy's assassination.

* * *

"President Kennedy had been warned against going to Dallas by Adlai Stevenson, who'd been spat upon and hit over the head with a sign there. President Johnson and his wife were spat upon while entering the Adolphus Hotel. We knew from the moment that the Ruby case was assigned to be tried in Dallas that, if it were to be kept there, we'd lose our case in the trial court. We knew that it'd have to be reversed upstairs on appeal, then transferred to another county.

"But we had no conception then of the magnitude of the errors, of the prejudice we'd meet during this trial. It was a mockery and a kangaroo court. Something we didn't know when we came to Dallas to move for a change of venue was that Judge Brown had made up his mind, and had so *reported*, that the case couldn't be transferred from Dallas. We were allowed to go through 3 horrible weeks in futile gestures moving for a change of venue. After that, we were refused an opening statement. We were refused the right to see impeaching statements ('There's a Dallas ordinance against it'). The judge looked unabashedly to the prosecution for his rulings, and sustained *each and every one* of the state's motions—without even listening to them or even understanding them. They actually had *signals* going between them!

"Judge Brown at one point appointed an 'impartial medical examiner.' We submitted our client for an 'impartial medical examination.'

FACT

When the results were found to be *abnormal*, the D.A. leaked a story to the press that the results were *normal*. The judge then called us into chambers and locked the report in his desk drawer. He threatened us with contempt of court if we told the true story, and the true findings and conclusions of *his* impartial expert. Later, in open court, the judge disowned his own impartial expert!

"And another time, when I cited authorities showing that the case was a bailable one, some 15 of them, I was advised by the court that these were not in point—because 'They're nigger killings.'

"The Texas law that forbids any statement made by a prisoner (unless in writing) after his arrest was completely ignored by His Honor. The principal state's witness was a Sergeant Dean, who was in charge of security—that's a laugh—at the time of the Oswald shooting. He was allowed to testify as to statements allegedly made by Jack Ruby at least a *half-hour* after Ruby's arrest. It's interesting that Sergeant Dean later complained to his Chief of Police that the F.B.I. had accused him of lying. And if he *was* lying, it's not hard to figure out why.

"In picking this jury, by the way, we exercised all of our pre-emptory challenges, and we were given 3 extra by the court. This jury was thrust down our throats. Of some 178 talismen, there were only two Jews, two Negroes, and two Catholics. The rest were white Protestants. One of them had as her nephew the policeman who regularly does the TV show for the Dallas Police Department. And she knew her police department, all right—she waved to the principal police witness while he was on the stand! Our challenge to her for cause was disallowed. By this time, we were out of pre-emptory challenges.

"One juror, and this was told to Judge Brown by a reporter on the *Dallas Morning News* (but Judge Brown didn't report it to us), had stated to an employee of his that if he got on the jury he would 'send Ruby to the electric chair.' After the verdict, Judge Brown *acknowledged* that the reporter had told him this.

"The end-result was that we were forced

to go to trial before a jury of 12 Dallas citizens, all determined to protect the image of the city—at any and all costs. The verdict had to be one of bigotry and hypocrisy, because unconsciously, if not consciously, Dallas had to redeem itself. These were all loyal Dallas citizens, and they had to put Jack Ruby in the public abattoir to show that theirs was a lawful city. That was their public duty. The verdict was reached in 50 minutes—not in 2 hours, as everyone thinks. After those 50 minutes, the jury sent out for Coca-Cola and laughingly spent the rest of the 2 hours waiting for Brown to return to court.

"When the verdict was smugly reported, I stood and said to that jury what every impartial newspaperman in that courtroom felt, 'Thank you for a verdict of bigotry and injustice.' I had told the court that the verdict would be one of bigotry and injustice if we were forced to trial in Dallas, and I would have been less than honest if I hadn't the courage to speak the words that were in my mind and in my soul and in my heart."

* * *

When I asked the old question "Did Oswald do it alone?" Belli looked at me with alarm, and began, "The fact that *you*, an intelligent man—" I hastily cut in that yes, *I* thought Oswald was alone, but an amazing number of otherwise-rational people seem to have doubts. "Of course Oswald did it alone," Belli resumed. "My investigative staff is better than the Attorney General's, and I know as much about the assassination as any man alive. Oswald was just a crazy man. He didn't know Ruby and Ruby didn't know him. I know why these rumors spread. It was because the Dallas police and the D.A. wouldn't quash them. I tried, and without prejudice to my case or the state's case, to get the D.A. to announce during the trial that there was no truth to these rumors. But the prosecution felt they could get some prejudicial benefit by encouraging these rumors—it made Ruby look like a monster instead of just the sick man he is. So these rumors, which hurt us immeasurably abroad, continued. They hurt us because it was made to appear that our law-enforcement agencies, local and national, the F.B.I., could not

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or *would* not report the 'plot' in all its particulars. There was even a rumor that President Lyndon Johnson, a Texan, assisted in having Kennedy done away with to succeed his office!"

Well, I asked, was there anything about the Ruby trial that "won't come out in our lifetimes"? "No, no, a thousand times no!" he roared. "That was a horse's ass thing for Justice Warren to say." He did add, nonetheless, that there *was* something most people don't know, namely, that the night before the shooting a Dallas policeman and his girl friend spoke to Ruby, trying to get him to approve of the idea of having Oswald lynched. "They picked on Ruby because they knew what a weak-minded guy he was. The cop and his girl just disappeared, and I could never locate them, so I didn't mention them at the trial."

My next question dealt with the proposal—supported by Prof. Sheldon Glueck of the Harvard Law School and psychiatrist Philip Q. Roche of the Pennsylvania School of Medicine, among others—that, when the question of sanity is raised in a criminal case, the jury should merely find the defendant guilty or innocent, and then a panel of behavioral scientists should decide the prisoner's fate. "I'm definitely against it," Belli said. "If the district attorney isn't bigoted and the judge is fair and honest, we'll get justice. The layman is as good as the scientist in deciding what should be done—I've seen too many psychiatrists who thought they could turn gorillas into human beings. The fact is, we have the best courts and the best juries in the world. We don't need new laws—our common law takes care of open occupancy, of integration, and so on. What we need are good judges, good D.A.s, and good lawyers. No other country in the world, I believe, not even England, has a better or fairer legal system than the United States has."

The current Supreme Court, Belli thinks, is the best in the country and the most humanitarian in American history. "Warren is no great shakes as a lawyer, or even as a judge, but he's a tremendous administrator. He has integrity and ability. The current Court has become the greatest decision-maker we've ever had. For

good or for bad, it's become a second legislature in Washington. I say that not in criticism, but just as something in the nature of things."

It was 11:45 and Belli's plane was ready to take off. I got in one final question: "What's your next case?" "Oh, let's see, there's Ferdinand Demara, the 'Great Impostor' . . . Oh, by the way, did you know I once sued the San Francisco Giants? I went to Candle Stick Park one night, just to relax, and it was cold as the inside of an iceberg. They'd advertised radiant heating, but there wasn't any. So I brought suit. *Someone* had to stop them from trying to get away with things like that." That was all the time there was, so we shook hands and he rushed off to his plane, cheerfully waving good-bye.

* * *

Two days later, while I was continuing my research, I happened to run across a short item in the sports pages: "Melvin M. Belli, the flamboyant attorney, yesterday was awarded \$1,597 after bringing suit against the San Francisco Giants. . . ." What really startled me, though, was the headline over the story. It was so appropriate, it seemed almost uncanny:

BELLI VICTOR OVER GIANTS

Fact:

"Bravo!" for your "S.O.B. Detroit" article in the May-June issue, but you missed one of the most detestable recent tricks of Detroit's S.O.B.'s.

Ever since 1961, virtually every major auto-maker has removed laminated safety glass from side and rear windows and substituted tempered glass, which offers considerably less safety. Under impact, the new tempered glass explodes into literally thousands of glass splinters which flay passengers with considerable force. In addition, tempered glass has no flexibility. In a collision, a passenger is three times as likely to fracture his skull against tempered glass as against laminated glass.

Detroit made this switch for two reasons. First, tempered glass is cheaper. It is estimated that auto-makers save \$150 million yearly through the elimination of laminated glass. Second, since independent auto glass dealers cannot cut tempered glass but must buy it completely fabricated from Detroit, the big car-makers have wrested control of a portion of the auto business which they formerly did not have. Thus the big three now virtually control not only the supply but also the price of the auto replacement glass industry.

The majority of today's drivers are unaware that their car glass is not of the old non-shatterable type. Safety-minded organizations have been pleading with the mass media to "break" this story but, as you so aptly put it, "A quarter of a billion dollars annually in car advertising revenues has muted the bark of our watchdog press."

I hope you will call the attention of your readers to Detroit's "silent switch."

Morris S. Gorman, Exec. Secy.
Auto Glass Dealers Assn., New York





In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Commission No. 14186

KP

WASHINGTON 25, D. C.

August 11, 1964

LANE, MARK

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

The following is a verbatim transcription of two tape recordings made available on July 29, 1964, by the President's Commission investigating the assassination of the late President John Fitzgerald Kennedy. According to the President's Commission, these tape recordings concern the interview of New York Attorney Mark Lane on the Barry Gray radio show over WMCA in New York City. The date and time of this broadcast are not known.

Barry Gray (G): And now ladies and gentlemen, my guest, Mr. Mark Lane, Attorney. Who, by the way, I'm told will address the people of New York on Monday, July 20. That would be tomorrow night and also continuing through Sunday, July the 26, at Theater Four which is 424 West 55th Street. Mark, can you tell me what that's all about before we get into the body of the discussion?

Mark Lane (L): Well, I'll be speaking I guess about two or two and half hours on all the information we've uncovered in reference to the assassination of President Kennedy.

G: And, uh, this, uh, show, documentary whatever is being presented by whom?

L: By the Citizen's Committee of Inquiry which is a nationwide organization conducting an inquiry, a citizen's inquiry into an independent investigation into the Dallas situation.

G: Who are some of your members?

L: Sterling Hayden of Dr. Strangelove, and Jessica Mitford, and here in New York City, Ted Mann the producer and, uh, author, and a number of attorneys associated, many of them, with the American Civil Liberties Union throughout the country, including some in California.

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G: Uh, I don't know if this is the direction that you wish to take in this, uh, uh, dialogue, but it occurs to me in the last two times that you've been here, there have been countless interruptions, and I, as one bystander, really have not had an opportunity to examine, and digest, or hear all of the facts that you say you now have that change the complexion of this story the, uh, assassination of President Kennedy and the man that we believe is responsible and so, if you will, why don't you start logically at the beginning and tell me.

L: Fine. I thank you very much for that opportunity, Barry. The first statement that was made just after the shots were fired was that Oswald's description, we now find out, was sent out some twelve minutes after the last shot was fired at 12:31 on November 22nd, the President was shot and Governor Connally was shot. Twelve minutes later Oswald's description was sent out. Now, when Oswald was arrested later in the day, the Chief of the Dallas Police, Jesse Curry, said that Oswald was not arrested in connection with the assassination at all. He was arrested because they thought he was involved in the murder of Patrolman Tippit, who of course, was the officer who was killed on that same day. And Mr. Curry said that only after Oswald had been questioned for approximately two hours about the Tippit killing was he then questioned, and charged with the murder of Tippit, was he then questioned at all about the assassination of the President. It didn't occur to them they said at the outset that he might have been involved in the assassination. That's quite remarkable since Oswald's description, which was accurately broadcast by the police, perhaps the only accurate thing the Dallas Police did that day, was sent out twelve minutes after the President was shot, therefore, considerably before Tippit, himself was shot and the description we are now told was in reference to the murder of Tippit which had not yet taken place. In any event when Oswald was in custody, the Dallas Police stated and the Dallas District Attorney stated, this was reported in every newspaper, the Associated Press, UPI carried it, that the murder weapon which was found on the sixth floor of the

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Book Depository Building was a German Mauser, 7.65 millimeter and this document here, Barry, is a, an affidavit signed by Seymour Weitzman, the police officer who found the rifle on the sixth floor of the Book Depository Building, and in it he describes it as a Mauser, which is a German weapon 7.65 millimeter, and Mr. Wade, the District Attorney of Dallas, throughout the day identified the weapon found on the sixth floor of the Book Depository Building as a German Mauser. It was not until more than 24 hours later when the Federal Bureau of Investigation announced for the first time that an Italian Carbine 6.5 millimeter was purchased by Oswald under the assumed name of A. Hidell back in March of 63, did Mr. Wade jump in front of the first live television camera he could find in Dallas to announce that a miracle had taken place. The weapon which they found yesterday had transformed itself in terms of its nationality and size and now what we found yesterday said Wade was an Italian Carbine 6.5 millimeter. Now, when I testified before the Warren Commission on July 2, they showed me the murder weapon which had been identified in this sworn affidavit by the officer who found it as a German Mauser, 7.65. Clearly etched on the barrel of that rifle in large letters it says "Made in Italy, Caliber 6.5." I suggest it was impossible for the officer to read that and then swear that it was a German Mauser, 7.65 millimeter, but that the rifles were switched to meet the description of the rifle, uh, which had allegedly been ordered by Oswald back in March. Now, Marina Oswald, who was held in custody for some nine weeks, according to the "New York Times" held incommunicado for nine weeks before she was permitted to testify before the Commission, was questioned for two days before she was held in custody. She was taken into the Dallas Chief of Police Office and shown the alleged murder weapon and asked if that belonged to her husband and despite the fact that later when she testified before the Commission, after having been held incommunicado and questioned daily by the FBI and the Secret Service, then she said "yes, it was her husband's weapon." At that time, the very day of the assassination when shown the weapon at the Dallas Police

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Office she said "no that was not a weapon which belonged to her husband." She was quite certain of it at that time. She also said she was sure that her husband was innocent; that he had only said kind things about President Kennedy; that she herself, felt very kindly about the President and his family and that all the information she secured about the President, she secured through her husband who interpreted the newspapers and explained to her what was taking place on television. And, so, the most essential piece of physical evidence in the case seems to have been altered. In addition to this, Mr. Wade, when he pronounced the case against Oswald the day of Oswald's death that evening in his international radio press television conference, said that the, when Oswald left the building, he entered into a bus and then he left the bus to go home and entered into a taxicab driven by Darrell Click and he said "I'll spell that for you boys, Click, C-l-i-c-k." When I went to Dallas, I spoke with the city personnel, city transportation company, the personnel office. That's the one company monopoly running all taxis in Dallas. There is not on November 22nd, and there never had been in the history of Dallas a taxi driver named Click, Darrell Click, C-l-i-c-k. When confronted with this information, and Mr. Wade remember told us he had a sworn statement in his office from this Mr. Click who was a nonexistent person. When this information was broadcast and made public, Mr. Wade then said, the District Attorney of Dallas then said well I made a mistake. Evidently there must have been some typographical mistake, and he later said the name of the taxi driver is a William Whaley and so the person who drove Oswald allegedly home, he also was changed. Now, perhaps the most shocking piece of evidence is the statement by the Federal Bureau of Investigation's Chief in Dallas, Gordon Shanklin, quoted in the "New York Times" and other publications and he said "I have seen the paraffin test. It shows that Oswald had nitrates gun powder on his hands and on his face and since it's on his hands and on his face, it is proof that he fired a rifle." The Chief of the Dallas Police, Mr. Curry, uh, was not quite so factual. He merely said "we have the paraffin test boys," this is on November 23rd, "it's just come in." "It proves that Oswald was the assassin."

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Here is the duplicate copy, a photostatic copy of the original paraffin test. Only one test can be conducted. This is the copy of it and an exhibit, uh, three exhibits were made. One of each of Oswald's hands and one of his face. The, both exhibits of his hands show a positive response. The response in terms of his face is as follows which is exhibit number one a cast of Oswald's face. Results of examination: no nitrates were found on exhibit number one. That's the official document of the Dallas City County Criminal Investigation Laboratory, Analyst Louie L. Anderson. In other words, this paraffin test if it proves anything in addition to proving the fact that the Director of the FBI in Dallas made a deliberate falsehood when he said it showed there were nitrates on the face and Mr. Curry, himself, was in error in stating that it proved that Oswald was the assassin. If the test is of any value, it proves that Oswald could not have fired a rifle on November 22nd. Unless, of course, he was wearing a rubber face mask or some such thing. But, ordinarily, it would tend to prove that he did not fire a rifle on that day. Now I think this is indicative of the problems facing the American people and the people of the world who are also deeply concerned about the events of Dallas on the 22nd in terms of getting the facts because all of these--this information has been termed "Top Secret" by the Commission and by the Government, but nevertheless, the Director of the FBI in Dallas is permitted to make statements which are totally untrue and had we not been fortunate enough to secure a copy of the original paraffin test, we would not know those statements are untrue. On the question of the murder of Patrolman Tippit there, uh, we were told by the District Attorney and by the Chief of Police that they had, that a number of witnesses identified Oswald as the person who killed Tippit. Now, Oswald, uh, has already, if the story is accurate, left the Book Depository Building, taken a bus, then a taxicab, gone home, and he is now walking through the streets trying obviously to hide. He is the most wanted man in the history of America. Obviously he committed the worst crime ever committed, these shores and he sees Tippit and for some reason he kills him. It would seem that

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Tippit must have tried to stop him. According to the Chief of Police, uh, according to the stories which were released at the time, Tippit did try to stop him and according to Chief Curry in a statement given to the "New York Times" and printed there some months ago, Curry said if it were not for Tippit stopping Oswald, we never would have found Oswald. We would have had to instead have made a run down of all the 90 employees in the Book Depository Building to get Oswald's description. By then he may have been out of the country. Well, the fact is that Tippit, we were told, was stopping Oswald because of the description which had been broadcast twelve minutes after the assassination. That was the first story and now they were saying there was no description and if Tippit had not stopped Oswald that perhaps the description would have come too late. Well, there was one eyewitness to the assassination, the murder of Patrolman Tippit. Her name is Helen Louise Markham. I have the affidavit here which she gave to the Dallas District Attorney's Office. I also have the-- this controversial tape recording which I made reference to before the Commission and which the Chief Justice has indicated that he does not believe exists, but there is such a tape recording and I will play it for you if you like.

G: Uh, uh, excuse me Mark. Has this tape ever been played before?

L: It has never been played anywhere before.

G: So, this is the first time it will have been heard by anyone except you?

L: That, that is correct.

G: And, uh, Chief Justice Warren asked you to play it for the Commission?

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L: Yes, he did.

G: And you refused?

L: I refused at that time. I explained to the Chief Justice that there was an attorney-client relationship here. I was not permitted to release this information to anyone and the Commission was quite hostile about that, but I explained to them that unfortunately that that was the situation. I would try to secure permission to play it. To secure a copy of it for them. I have since then secured permission and today I mailed a copy of this tape to them.

G: I see.

L: But they've not heard it yet.

G: I see. Go ahead. Now, you have there an affidavit by the alleged eyewitness to the murder of Patrolman Tippit?

L: Yes. And her name is Helen Louise Markham, and in her affidavit, this is the one she gave to the -- the Dallas Police on the 22nd day of November, an affidavit in any fact taken before me in this State of Texas, County of Dallas. At approximately, I'm quoting now. It's a short affidavit. I'd like to read it all.

G: Please.

L: "At approximately 1:06 p.m., November 22nd, 1963, I was standing on the corner of East Tenth and Patton Street waiting for traffic to go by when I saw a squad car stop in front of 404 East Tenth, about 50 feet from where I was standing. I saw a young white man walk up to the squad car opposite the driver's side, lean over and put his arms in the door of the car for a few seconds, then straighten up and step back from the car two or three feet. At this point the officer got out of the squad car and started around in front of the car,

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and just as he got even with the left front wheel, this young white man shot the officer and the officer fell to the pavement. I screamed and the man ran west on East Tenth Street across Patton Street and went out of sight. Helen L. Markham." According to this affidavit, therefore, Mr. Oswald who was the most wanted man in America at that time was walking down Patton and Tenth Street until he saw a parked police car. Without being called over, he walked over to the police car, leaned on the door with both of his arms, and engaged in a short conversation with the officer and then later killed him. Uh, I, it would hardly seem like the kind of conduct of someone who is trying to escape from the authorities would ordinarily engage in. In any event, Mrs. Markham told me at the one point that the man who she saw was wearing a light gray jacket. Now, when Oswald was last seen at the Book Depository Building he was wearing a dark brown shirt and when he was arrested and brought into the Dallas Police Station moments after the killing of Tippit, he was wearing a dark brown shirt and no light gray jacket at all. Uh, Mrs. Markham said that the man who shot Tippit was short. Oswald, according to the Dallas Police description was medium or a little bit taller than medium height, about five feet ten. Mrs. Markham said that the man who shot Tippit was a man who had somewhat bushy hair. She used different phrases. At one time she said bushy hair. Another time she said somewhat. Another time she said a little bushy, but she told the reporters, and this was reported in the Dallas newspapers the day of the assassination, that the man was bushy haired without any qualification. By the time she spoke with me on March 2 there was some qualifications, but it was still somewhat bushy or a little bushy. She told the Dallas reporters and it was reported in the "Dallas Times Herald" just after the assassination that the man was heavy. She didn't tell me quite that he was heavy. She, uh, said he was a little on the heavy side, slightly heavy, etc. words of qualification. The only part of the description which is not qualified was the, his being short. She was quite firm about that. Now, Oswald was quite slender, a little taller than average, and he had very thin hair which was receding. And, one could hardly think of a description, uh, which differed more from Oswald than the description, uh, given by Mrs. Markham the one eyewitness to the murder of Tippit.

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G: How tall is Mrs. Markham?

L: I don't know. I haven't, I haven't seen her. I've just spoken to her by phone and of that time a couple of correspondence. I think it's a good question if she's short someone her height, a little taller might appear tall. Yes, I should find that out. Uh, and, so we have this statement in reference to, uh, to Patrolman Tippit. I can tell you this. We now have a statement, uh, from another witness to the, uh, Tippit killing. This is a witness who has been questioned at our request by the Federal Bureau of Investigation. Months and months ago she was questioned. She is an eyewitness to the killing of Officer Tippit. To this day she has not been called before the Warren Commission to testify, and her statement is that she saw the killing of Tippit and two men were involved in the murder of Tippit, two men. One on each side of the street conversing with each other. Tippit got out of the car and walked toward one, this man pulled out a revolver, shot that man and then both of these men, who had been conversing before the shooting, ran in opposite directions. Thus far the Commission, which I assume must know of this testimony because we gave it to the FBI months ago and now we have given it to the Commission as well, the Commission has declined to call this eyewitness to the, this other eyewitness to the murder of Patrolman Tippit. I have made no reference to this other eyewitness until this time. We wanted to make sure that our statements were secured from her in writing and by tape, etc., so there could be no question about that. We now have, uh, the statements secured in that fashion so I can't--

G: Do you--

L: Make reference to her.

G: Do you have a statement here with you?

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L: I am not in, uh, I do not have her permission at this time to release her statement but I hope that within the next two weeks I will be able to release her statement entirely.

G: To whom was her first voluntary, uh, statement made?

L: To someone associated with our inquiry.

G: No, I, I don't mean that, Mark, I'm, I'm talking about the FBI. Did she come forward shortly after November 22nd, and say I saw the killing of Officer Tippit?

L: She stated this to Agents who came in that neighborhood and questioned her, yes.

G: And, has, have they gone back to interview her, to interrogate her?

L: Yes, they have questioned her on more than one occasion.

G: And she has not been called by the Warren Commission?

L: She has not been called by the Commission.

G: And, uh, why does she suggest this be so, or what is your suggestion?

L: She has no theories at all and, uh, she is, she is an excellent witness in, in the area of speculation or conjecture. She says I'm sorry I don't know about that, and if you ask her a question, just try to lead her slightly, she said I'm sorry I just gave you all the information I have. She is very firm about what she knows and she won't go into this area as to why they're not calling her, she merely says I'm telling the truth and I'll tell it to anyone who wants to hear it but I can't tell anything which I don't know.

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G: Is there something you want to add here before you get to the tape?

L: No, I think perhaps this might be a good point.

G: Well, I, I actually want to play the tape immediately after the news which is just a moment or two, Mark Lane, but I, I want, want to ask this, are you at liberty now to tell me and the audience how you obtained the conversation with Mrs. Markham, your taped witness?

L: This was a telephone conversation, which was taped, unfortunately, the law would require that whoever was involved, himself, in the taping probably has violated the law, the rules of the Federal Communications Commission if this took place from one state to another. And, under those circumstances, I think it's best that I not go into the question of how it was taped or taped, or who did it. But, I can tell you that it's been sent to the Commission. I've invited the Commission to play the tape for Mrs. Markham to see if she will identify this as her voice.

G: Has she identified it for you as her voice?

L: Uh, this, well.

(Garbled -- both talking)

G: Is, is she.

L: To my knowledge.

G: Do, do you have permission from her to release this tape?

L: No, I don't have permission from her.

G: Well, uh, why are you releasing it?

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L: She has been questioned any number of times. The Commission knows that there is such a tape and, uh, a copy of the tape has been sent to the Commission at their request. It is now a document which is totally and completely privileged in that it, uh, belongs to the Commission and has been sent to them in due course and I have a right to play it under those circumstance.

G: Was she aware of the fact at the time of the conversation that her voice was being recorded?

L: Well, that's, that, there we go into the legal question of whether or not anyone is libel for the commission of any act and I rather, therefore, not answer that particular question.

G: But you surely will be asked this question by the Warren Commission as I assume you already have.

L: Yes, they asked me that question and I gave them an answer somewhat similar to yours.

G: Uh, you had, you did not play the tape at that time because you say it was, uh, a privileged communication. Uh, and, I'm given to understand that at that time Chief Justice Warren said in effect, and please correct my language here, that he did not believe either a tape existed or the contents of the tape, which?

L: He indicated that he did not believe that the tape existed at all. Mrs. Markham evidently has been called before the Commission and has denied that she made any statement to me at all, denied that she ever talked with me. And, when the Commission told me that I said I'm sorry gentlemen, she did talk with me and I have a tape recording of what she said and the Chief Justice said that if I did not produce the tape recording, he was inclined to believe that it did not exist.

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G: As a lawyer, Mark Lane, and an officer of the court, can you explain to me what your liability is here?

L: Well, the liability of the person who made the tape, you mean?

G: Well, is it not, I've not heard the tape. Is it not your voice on the tape?

L: Oh, yes. Uh, the question is who, it is me. It is a conversation of my speaking with Mrs. Markham. The question is who actually made a recording of the conversation,

G: Uh.

L: Which took place.

G: How about-- how about the liability of the man who arranged for the recording to be made?

L: Well, yes, whoever arranged for it to be made would also be responsible.

G: And so, you're telling me now that you've made, you have a tape recording of a conversation between you and Mrs. Markham but you did not arrange for that recording to be made.

L: No, I'm just, I'm just not commenting on the question, that's all.

G: Will you ever answer the question?

L: Uh, I don't think so. I tell you, I don't, it's not really related to the question of the assassination.

G: No, I understand, I understand and, of course, uh, there are obviously cases in which the important thing is to get, uh, justice and worry about the periphery, uh, uh, areas after justice has been done.

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L: Yes, precisely.

G: Uh, on that note let's pause for the news on WMCA in New York. I'm talking with Mr. Mark Lane an attorney who is here in New York discussing the latest evidence in the assassination of, uh, President John F. Kennedy. And, uh, in a moment is going to play for the first time anywhere a tape recording of a conversation between he and Mrs. Markham. Mrs. Markham is the lady who witnessed the murder of Patrolman Tippit in Dallas, Texas, on that, uh, unfortunate and tragic day. Here's the news.

PAUSE IN TAPE RECORDING

G: Ladies and gentlemen, my guest on radio WMCA in New York is Mr. Mark Lane an attorney who has been retained to try and clear the name of the accused assassin of President Kennedy, Lee Harvey Oswald. He was formerly a New York State Assemblyman, and now, Mark Lane, suppose you, uh, give us the prologue of this tape.

L: Uh, I'll, I'll play it now. This is a conversation between myself and Mrs. Markham the eyewitness to the, or so she says, the, she says she's the sole eyewitness to the assassination of President Kennedy and this was a conversation which took place between us on March 2nd, 1964.

(Then he plays tape recording--starts where Mark Lane asks "Do you recall what the gentleman was wearing who shot Officer Tippit?")

A verbatim transcription of this tape recording incorporating that part played at this time has been furnished previously to the President's Commission.

(Lane stops recording where Mrs. Markham is saying "I just thought it was a friendly conversation.")

G: That's the, uh, tape recording played for the first time between Mrs. Markham and, uh, yourself?

L: Yes, that's correct.

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G: She said one thing, Mark Lane. She said she identified Oswald or the man who committed the murder in the lineup. I've never heard that before.

L: Yes, uh, she said that, uh, there was more to the tape recording than I played. It would take, uh, about, over an hour.

G: Yes.

L: And she does. And there-- there was also some conversation which was not recorded. But, uh, I do recall that she told me that she, I, I, discussed this with her in greater detail. She said she was taken to the lineup that evening of November 22nd and there were three men in the lineup and, uh, one of them was a very fat man with, uh, heavy, uh, blue shirt on and, uh, that was blue slipover sweater. That was obviously not the man who did it she said. And then there was one man wearing a light gray jacket and dark trousers, and she said that was the man.

G: Now, where did that gray jacket come from?

L: I would like to know that myself.

G: And was that man Oswald wearing the gray jacket in the lineup?

L: I don't, I don't know. She said that she was told that it was Oswald.

G: Well, we must assume that it was.

L: Well, I, at this point I'm not ready to assume that anything the Dallas Police say is necessarily so. I haven't been able to catch them in an accuracy yet.

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G: It, it should certainly be easy to find out whether Oswald was in indeed in the lineup and, uh, who the other men were. Obviously, police officers or police attaches of one kind that's the---

L: Or suspects, yes.

G: Or some-- Well, I doubt that. They usually put policemen around them, four or five and the, the uh, uh, man accused of crime mixed up in the group.

L: Yes, I think that's true. I think it's rather unusual to find someone with a gray jacket and dark trousers when, especially when she gives that description. She only gave that description as she said to the Dallas Police and then there was a man in the lineup with a gray jacket and dark trousers. When Oswald was brought to the police station, he had no gray, uh, jacket at all. He just had that dark brown shirt which, of course, is present in all of the pictures of Oswald.

G: Yes.

L: In the police, police station and being taken to the police station and on television.

G: Now, uh, earlier on, not tonight but in a past discussion here with a member of the conservative party, you started to tell me before we ran out of time, uh, unless you want to add something in this area.

L: No, no.

G: Fine. You started to tell me about the assassination itself and the things that you have uncovered.

L: Yes. Well, uh, the, probably the most remarkable thing is the fact that three versions of the, official versions of what took place all different have been presented in order by the Federal and state authorities including the FBI and

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the Dallas Police and the Dallas District Attorney's Office. We started with one piece of hard intelligence. That is that a bullet entered the President's throat from the front. About that there was no question. Doctor Kemp Clark, the physician who pronounced the President dead in the Parkland Memorial Hospital, said that the bullet wound in the throat was clearly an entrance wound. Dr. McClelland, the Senior physician of the hospital, said the wound in the throat was an entrance wound. He said we see bullet wounds and we treat them every day here in Dallas and I know an entrance wound, which is small and neat, from an exit wound, which is large and gapping. That was an entrance wound. And Dr. Malcolm Perry, who is the physician who performed the tracheotomy on the President, uh, said that it was clearly an entrance wound. He, in fact, inserted a tube into the President's throat and he said he followed the path of the bullet and the bullet ranged downward into the chest. He inserted the tube downward in that fashion in order to prevent the President from strangling on the blood in his throat at that time and prolonged his life a short period of time in that fashion. And so, starting with the information the President was shot from the front, the first theory was released. Mr. Wade said that he had a map. He had uncovered a map in Oswald's room which showed that Oswald had planned the shooting just as it took place. That is, Oswald was on the sixth floor of the Book Depository Building and as the car approached the building on Houston Street before it turned away down Elm while they were still approaching the building, Oswald fired the first shot. And the "New York Times" on November 23rd carried a greatly detailed story of the Government version then that Oswald fired from the building directly on Houston Street, swung his rifle in an arc of over, of over 90 degrees as the car made a sharp left turn, and then fired twice more striking the Governor and fatally wounding the President striking him in the back of the head. And that was the first theory. And that's theory was completely consistent with the medical evidence and, therefore, had that virtue

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because it did explain how the President was shot in front of the throat. However, the remarkable thing is that every witness on the scene and all the still pictures taken show that the car was not on Houston Street approaching the Book Depository Building when the first shot was fired, but, in fact, had passed the Book Depository Building, had made the sharp turn and was, the back of the car was facing the building when the first shot was fired. Governor Connally, himself said "Yes, we had turned already. We had gone 70 yards past the building. The building was behind us when the first shot was fired." Every witness said this. The Secret Service re-enacted the crime and found that every witness agreed. Four reporters writing in "The Dallas Morning News" the next day said that was true. There was no -- and the still pictures show that was true. And so theory number one explicitly explained by the Government and printed in the "Times" as the official version on the day after the assassination was completely abandoned and theory number two took place, placing the car where, actually where it was when the first shot was fired some 75 yards past the Book Depository Building and moving directly away from the building. This raises some questions. Uh, how did Oswald shoot the President from the front from behind? It raises another question. How about that map which Mr. Wade said "we have in our possession. We found it in Oswald's room showing that he planned to shoot as the car approached the build-- the building and while it was on Houston Street." Well, that was handled in this fashion November 27th, AP report, Mr. Wade announced today that there never was a map. Any reference to a map found in Oswald's room was a mistake. Well, it certainly was a mistake and, therefore, that piece of evidence was gone. But, how did Oswald shoot the President in the front of the throat when he was now behind him? Well, version number two was enunciated, and this was done at the request of the Federal Bureau of Investigation as a result of the background briefing sessions by "Life" magazine in a full page article on December 6th of, uh, last year called "An End to Nagging Rumors, Those Six Critical Seconds" and "Life" sought to end all dialogue in this case, in this country by stating it was very simple.

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Oswald did shoot the President from the front. The bullet entered the throat and ranged downward into the chest said "Life" on December 6th. It's true Oswald was in the Book Depository Building. It's true that the Presidential limousine had passed the building and was some 75 yards away. It's also true that Oswald was the lone assassin. How is it all possible said "Life." It's simple. It's simple because the President had turned completely around and was facing the Book Depository Building when the first shot was fired. Now, one has to question not only "Life's" judgment because that statement is totally in error. The President was looking almost directly to the front when the first shot was fired. But, more than their judgment is in question, I think, because the week before in "Life" magazine, itself, on November 29th they had, of course, previously purchased the film taken by the amateur photographer and they ran a series of stills from that motion picture film and with "Life's" own captions, the week before they ran the theory saying the President had turned around they showed in their own captions, in their own magazine on November 29th that the President was looking almost directly to the front when the first bullet entered his throat from the front. And so, "Life" a week later repudiated itself in order to explain this theory. The problem with that theory is that the motion picture showed that it was not true. We saw on television, of course, that picture has not been shown publicly here but we did see on television one reporter, I think he was a CBS reporter, who was shown the film and who then, uh, acted out what he had seen. And he showed that the President was looking almost directly to the front when the first shot was fired. Uh, the film does seem to show that, the still clip certainly show that everyone's testimony is that that is what happened, including reporters from "The Dallas Morning News" and others on the scene including Mrs. Connally who said the President --she had just said something to the President. Tragically enough she had just said "You cannot say, Mr. President, that the people of Dallas have not given you a warm welcome today."

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And he was leaning toward her. She was sitting in front of him when he was, when he was, uh, about to answer and was shot. (garbled)

G: I, I don't know, Mark Lane, if you're aware of the fact that the new "Life" magazine has a story by Mrs. Connally.

L: No, I haven't seen that.

G: Uh, Oh, I beg your pardon. It's not "Life," it's "McCall's." The new, the new "McCall's" magazine which I have just read last night. I believe an advance copy.

L: Oh.

G: Do you have it, Judy? I'd like, I'd like very much to have it--read that portion to you because it--it's a bit of, uh, uh, writing on this very point in which she describes the instant of the impact of the bullet.

L: Oh, I'd like very much to see it.

G: Judy will get it, and I will read it to you but go ahead.

L: Oh, fine, In any event it was now conceded that the President was looking forward, so version number two, uh, established by the authorities was abandoned. And now they had to come to version number three. But, any explanation of how Oswald shot the President from the front when he was behind him, if the President was looking forward, would have to require a change in the evidence it would seem. And that took place.

END OF REEL ONE

The physicians in the Parkland Memorial Hospital had never been questioned by a single Agent of the Federal, state, or local Government; no one from the FBI, the Secret Service, the Dallas Police, the Dallas District Attorney's Office for a month after the assassination. This is a, uh, very curious, uh, matter I would suggest because in any ordinary homicide there is a, uh -- when there is any question at all in terms

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of how the uh--where the shots came from, all that is required is the medical statement in terms of an analysis of how the bullet coursed through the, uh, body of the victim and then if you know which direction the person was facing, you just extrapolate that bullet path projectory and you know exactly where the shots came from. And so it is remarkable that a month passed and no one ever talked to these physicians who, of course, had examined the President while he was alive and were in an excellent position to explain, uh, the course of the path of the bullet and the damage it did to the President. But now a month passed and two Agents of the United States Secret Service then journeyed to the Parkland Memorial Hospital and met with the physicians. They had, the Secret Service Agents had a copy of the autopsy report on their laps but refused to allow the physicians to see it. And after three hour session with the, with the physicians, the Secret Service Agents were able to leave the room and to state that the physicians in the Parkland Memorial Hospital all announced and agreed that they were all in error when they said that the bullet wound in the throat was an entrance wound. They confessed error. The fact is that the President had been shot from the back. The bullet entered the top of the President's head and a fragment of the bullet or bone exited from the throat causing a large gapping wound which the physicians all thought was a small neat wound when they examined him in the Parkland Memorial Hospital. And so it seems that the evidence was sharply altered to meet the theory that Oswald was the lone assassin. Now Richard Dudmond, who is a highly respected Washington correspondent for the "St. Louis Post Dispatch" called Dr. McClelland and said what made you change your mind doctor? And Dr. McClelland said two things made me change my mind. First of all the autopsy and Dudmond said you saw the autopsy, and, uh, Dr. McClelland said no, they never let me, they wouldn't let me look at the autopsy but the Secret Service Agents told me what was in there and I believe them. And what was the second thing Dudmond said? And, uh,

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McClelland said the second thing which made me change my mind in believing that the wound in the throat was not an entrance wound but an exit wound was the history of the case given to me by the Secret Service Agents. Dudmond said you mean the medical history, and he said no, no, not the medical history. The Agents told me that Oswald was behind the President when he fired and, therefore, the wound in the throat would have to be an exit wound. I, I question that as expert medical testimony. The other physician, Dr. Malcolm Perry told a reporter for a national news magazine "Newsweek" magazine which has the story in their files but has never yet printed it, told one of their reporters that I can only tell you this, that the wound in the throat is officially now an exit wound and, uh, she asked how, how he could be so certain at one time that it was an entrance wound and now take the position it was an exit wound. Actually, uh, one must remember that the story now is that the President was shot in the back of the head and the bullet exited from the throat. Why then did Dr. Perry insert a tube into the President's throat ranging downward into the chest following the path of the bullet if the bullet didn't go in that direction. And he indicated that that was a very good question. He said "I wish I could tell you more about this case but I'm not permitted to discuss the case I'm only permitted to say the wound in the throat is a exit wound and I can say off the record that that certainly ties up the case very neatly for the FBI in view of the rest of the evidence does it not." That was the last medical statement that I know of on the case by the Parkland Hospital doctors.

G: Mark Lane, I, I have in the inner room got the up coming edition of the "McCall's" magazine not yet on the stands I don't believe.

L: Yes.

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G: It is by Mrs. John Connally, wife of the Governor of Texas, as told to Michael Drury. Again the August edition of "McCall's." I quote an excerpts but every word of the excerpt. "The crowds were tremendous. We rode through downtown Dallas surrounded by cheerful happy faces. I was delighted. It isn't easy to ride in a motorcade; you have to look pleasant, yet you don't want a frozen smile on your face. It is something of a strain, and as we neared the end of the run, we all began to relax and let down a little. It was a wonderfully triumphant moment, and unable to restrain my pleasure any longer, I turned on the jump seat and said 'Mr. President, you can't say Dallas doesn't love you.' He did not reply, or if he did, it was lost in the terror of what followed, for in that instant the first shot rang out. I heard it and though I handle guns myself and am familiar with rifles, I did not in that split second realize it was gunfire. I knew only that it was an ominous and frightening sound, that we were caught in something terribly wrong. I looked directly at the President. He clutched his throat with both hands, and I felt sure he was dead. His face went blank. There was no pain or shock or fear just nothingness. His face was completely expressionless, as if the person had gone. Sitting on my right, John" the Governor, "turned very fast to his right trying to look around at the President. Not getting him in his line of vision, he started turning to his left and the second bullet hit him. I heard John say, 'They're going to kill us all.' He recoiled to his right and slumped over, still upright in his seat. My one thought was to get him out of the line of fire, and I pulled him down onto my lap and bent over him. It did not occur to me that I might be hit, too; I thought my husband was dead, and I could not think beyond that. As it happened, that instinctive action helped save his life because the bullet had torn through his right shoulder and out his chest leaving what is called a sucking wound. That means that every time you breathe, you take in more air through the wound than into your lungs and you strangle. A doctor's first act would have

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been to close that wound and when I pulled John down on my lap," he-- "his crouched position partially blocked it. Even so, if the hospital had been minutes farther away, we might not have made it in time. I heard the third shot and the Secret Service command to pull out of the motorcade and drive to the nearest hospital; but after John was hit, I didn't look back again." And then she goes on into the rest of the narrative.

L: Yes, that is completely consistent with all of the evidence I have in terms of what took place. But, that is totally inconsistent with the present posture of the Government in terms of how it all happened. The, uh, last word on the medical testimony was printed in the "New York Times" with pictures, perhaps you recall when the Secret Service posed down in Dallas and they drew marks on the various individuals representing the President and Governor Connally to indicate how the shots were fired. They indicated that the first bullet and this is the latest official Government theory according to the "New York Times" with the Secret Service Agents with the chalk marks and tape marks on them. They now indicate that the first bullet entered the President's right shoulder, went through the shoulder, and went into Governor Connally. Now, the problem with that story is that the Governor was, therefore, looking directly to the front. He had not yet had a chance to turn around after the first bullet had actually entered the President's throat. The second problem with that story is if it is true that the first bullet entered the President's shoulder and went through him and struck the Governor, why did the President then clutch his throat when the first shot was fired?

G: Mark, I must pause for the news on WMCA, New York. I'm talking with Mr. Mark Lane, Attorney who has been retained as you know to try and clear the name of the late Lee Harvey Oswald. I should add here as I did at the beginning of the broadcast that this is merely an opportunity to, uh, hear the, uh, Mark Lane ideas, theories, uh, the information that he has gathered and by no means is it a testament by me that I approve

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of the facts because like you, I'm a witness sitting by the side of the road, uh, very much interested in this case, obviously. But I have no way of ascertaining the truth or veracity of the comment. Mark, is there anything you want to add? Where does the investigation stand at the moment?

L: Well, we're eagerly awaiting the, uh, report of the Warren Commission to find out what, I assume, will be the last Government position on what took place on the 22nd in Dallas.

G: There, there's one thing which you've not touched on. Has the theory been advanced as I sure, I'm sure it must have that this entry wound in the throat was as the result of a ricocheting bullet?

L: No, I don't think so. I think that in all the various Government theories as to what happened, they never passed, uh, along that one at all except to say that the bullet entered the top of the head from the rear and exited either a bullet fragment or bone fragment exited at the throat. But, uh, I'm very grateful to you for this reference to Mrs. Connally's article in "McCall's" because it's, uh, it's consistent with everything that we've been able to discover in terms of what took place and as, as totally inconsistent with the Government medical evidence now as there can be because the present Government story--

G: Uh.

L: Is that the bullet, the, the first bullet entered the President's shoulder and went through Governor Connally before he turned around and she said that's not true. The pictures show that's not true.

G: The implication here though, Mark, by you is that the Government or the Warren Commission is for some reason trying to keep witnesses out. The, the lady that you referred to

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who as an eyewitness to the Tippit slaying; the autopsy report not shown to the doctor; the, uh, the uh, dialogue on the entry or the exit of the bullet. The implication would seem that the, uh, Government doesn't want all of the story released. Now, why would they--

L: Yes, I believe that is, that is true.

G: But why?

L: I don't really know that. I can just tell you, that uh, I won't name him but a very good friend of both of ours who is a leading liberal in this town with whom I discussed the case said to me "Why don't you drop the whole thing? Let's assume that Oswald was innocent or that there were, there was a group involving Oswald, either way, and that the Government's story is incorrect. Oswald is dead; the President is dead. What can possibly gain by raising these things?" And, well, I won't give my answer. I think it should be--

G: Well, my answer, my answer to that would be if there are two men or three men or nine men or fifty men involved, then I want all of them brought to justice.

L: Yes, of course. I, I feel that too. And I think we should have all of the facts. This was the most important public crime, most dastardly crime in the history of our country, and I think we're entitled to all the facts in a democratic society.

G: Are you, are you telling me also that you believe Oswald is innocent or was Oswald an accomplice in a larger group?

L: Well, I don't know. I do know that the, the story that Oswald was the lone assassin cannot be true; that the medical evidence and the other facts prove that that is not true. Now I have not seen evidence which proves that Oswald was involved in the assassination. There are a number of things

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that he did that day, which would, which raise questions in my mind, quite frankly, and would have to be explained. Unfortunately, I was not able to see him. He was killed before-- he was the only client I ever represented who was killed before I represented him and, therefore, I, I am unable, I'm at a disadvantage and so is, therefore, his defense. Uh, I just want to finish this last point.

G: Please.

L: If I might Barry, and then this, this leading liberal would say to me when I explained to him as you did that, as you did a moment ago why it's important to get the facts. He'd say "Well, don't you have faith in the Chief Justice and the Commission to get all the facts?" I'd say, then say to him this that I have faith in you too. You're a great liberal. You're really concerned about the Government and, uh, and uh, the functioning of democracy. But you have asked me to stay out of this. You've indicated that you, yourself, would suppress the facts because Oswald is dead; the President is dead. I think that in a functioning democratic society we can't have faith in any one individual to get the facts and to think for us no matter how benign he may be. We have to do the hard work ourselves in order for democracy to thrive.

G: Mark Lane, I thank you very much. Ladies and gentlemen Mark Lane, Attorney, who had been retained to try and clear the name of Lee Harvey Oswald, no longer retained I understand by Mrs. Oswald. The tape that you've heard this evening has been played on the air for the first time anywhere. A copy of that tape was sent prior to the broadcast to the Warren Commission by Mr. Lane and, uh, he's going to be appearing this week beginning tomorrow through next Sunday at Theater Four at 424 West 55th Street as he puts it to discuss the latest evidence in the assassination at a series of public lectures. I thank you very much.

L: Thank you.

END REEL TWO

OFFICE OF THE DIRECTOR



Commission No. 1418

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 21, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

Reference is made to your undated letter received on July 29, 1964, concerning the appearance of Mr. Mark Lane on the Barry Gray radio program over Station WMCA in New York City.

Enclosed are two copies of a communication from our Dallas Office dated August 7, 1964, pertaining to our investigation of the allegation made by Mr. Lane alleging the existence of another female eyewitness to the murder of Officer J. D. Tippit. The files of this Bureau fail to disclose that Mr. Lane or anyone associated with him has ever furnished any information to the FBI indicating the existence of a second female eyewitness to the Tippit murder. No such individual has been identified or interviewed by this Bureau and had we knowledge of such a witness you would have been promptly notified.

Also enclosed are the two original recording tapes furnished with referenced letter and two copies of a verbatim transcription of the program prepared by this Bureau. A copy of each recording tape has been made and both will be maintained for future reference.

Honorable J. Lee Rankin

The alleged announcements made by representatives of this Bureau, which are discussed on pages three and four of the enclosed transcription, are completely without foundation as no such announcements were made.

No further action is being taken in this matter.

Sincerely yours,

J. Edgar Hoover

Enclosures (6)



In Reply, Please Refer to
File No.

Commission No. 1418a

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Dallas, Texas
August 7, 1964

LEE HARVEY OSWALD

The President's Commission advised during a recent appearance on the Barry Gray program, which is broadcast nightly over Station WMCA, New York City, Mark Lane alleged that several months before he had advised the Federal Bureau of Investigation of a witness to the Tippit shooting. This alleged witness, who is a woman, was reported to have been interviewed by the Federal Bureau of Investigation, but she was never called as a witness by the President's Commission. She is alleged to have stated she saw two people involved in the Tippit shooting, one on each side of the street, conversing with each other. After the shooting of Tippit, these two men were alleged to have run in opposite directions. In the broadcast, which was taped, Lane refers to the woman as "another witness to the Tippit killing" and "this other eye-witness to the murder of Patrolman Tippit."

The President's Commission, by undated letter received at Federal Bureau of Investigation headquarters, Washington, D. C., July 29, 1964, requested it be advised whether Mr. Lane or anyone associated with him furnished information to the Federal Bureau of Investigation about a witness meeting the above description, and whether or not such a woman was interviewed by the Federal Bureau of Investigation. The President's Commission also requested to be advised whether the name of this witness was furnished to it if such a witness exists.

A review of all references to Mark Lane contained in the files of the Dallas Office of the Federal Bureau of Investigation was made and no information was located indicating

Re: LEE HARVEY OSWALD

Mr. Lane, or an associate, furnished information regarding a woman witness to the shooting of Tippit as described previously. It is noted in this connection, that as late as April 30, 1964, Lane, in his speeches, stated there was only one eyewitness to the Tippit shooting, namely, Helen Louise Markham.

A review of the investigation relating to the shooting of J. D. Tippit was made, and there is only one known female eyewitness to the shooting. This one eyewitness is Helen Louise Markham, who has testified before the President's Commission.

It was noted during a review of the results of investigation relating to the Tippit shooting, the report of Special Agent Robert P. Gemberling, Dallas, Texas, dated March 10, 1964, on pages 262-264, sets forth the interview of Ted Callaway. Mr. Callaway, who, on November 22, 1963, was employed at Harris Brothers Auto Sales, 501 East Jefferson, Dallas, Texas, stated at about 1:00 P.M. that date he heard about five shots, which apparently came from the back of the car sales lot on 10th Street. He stated he ran out on the Patton Street side of the sales lot toward 10th Street, looking in the direction of 10th Street, when he observed a person running in a sort of trot on the east side of Patton toward Jefferson Avenue. This man had a pistol in his right hand in a "raised pistol" position. He said the man was across the street from him and he hollered at the man, "Hey, man, what the hell is going on!" He said the man slowed his pace, shrugged his shoulders and made an unintelligible reply and continued toward Jefferson.

Mr. Callaway said he called to salesman B. D. Searcy and told him, "Keep your eye on that man and follow him." Callaway then went to the place on 10th Street east of Patton where Patrolman Tippit was lying in the street, apparently dead.

The report of Special Agent Gemberling dated February 11, 1964, on page 93 sets forth an interview with Mrs. Mary Brock, who, on November 22, 1963, was employed at the Ballew Texaco Service Station located in the 600 block of East

Re: LEE HARVEY OSWALD

Jefferson Street in Dallas. Mrs. Brock advised that at about 1:30 P.M. on November 22, 1963, a man came past her walking at a fast pace. About five minutes later two individuals from Johnny Reynolds Used Car Lot came to the station and inquired if she had seen a young white man come by the station. She advised them she had and the person was last observed in the parking lot directly behind Ballew's Texaco Service Station. Mrs. Brock identified a photograph of Lee Harvey Oswald as being a picture of the individual she had seen. Mrs. Brock is not known to have appeared before the President's Commission, nor is it known whether she was interviewed by any member of the President's Commission.

On August 3, 1964, Mrs. Mary Brock, who now resides at 3519 30th Street, telephone SWift 9-5545, Lubbock, Texas, advised a Special Agent of the Federal Bureau of Investigation that she has not been contacted by Mark Lane, attorney, or anyone representing Lane, concerning the Lee Harvey Oswald matter. She has not furnished a signed statement to anyone concerning the Oswald matter, and, to her knowledge, no one has taped an interview with her.

She advised the first week of July 1964, she received a telephone call from a man who identified himself as George Nash, a law student at Columbia University, who claimed he was calling from Dallas, Texas, and was doing research on the assassination of President Kennedy. Nash asked her if she was the one who observed Lee Harvey Oswald walk, or run, through a service station, in Dallas, on November 22, 1963, and she informed she had seen Oswald. He asked her some questions concerning Oswald's actions and terminated the interview. He did not ask her if she had seen Oswald shoot Officer Tippit of the Dallas Police Department, and she certainly did not tell him she had witnessed the slaying of Officer Tippit.

She advised the only interviews she has had concerning Oswald were with the Federal Bureau of Investigation, and the telephone conversation had with George Nash the first week of July 1964.



In Reply, Please Refer to
File No.

Commission No. 1418 b

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.

August 11, 1964

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY
NOVEMBER 22, 1963,
DALLAS, TEXAS

The following is a verbatim transcription of two tape recordings made available on July 29, 1964, by the President's Commission investigating the assassination of the late President John Fitzgerald Kennedy. According to the President's Commission, these tape recordings concern the interview of New York Attorney Mark Lane on the Barry Gray radio show over WMCA in New York City. The date and time of this broadcast are not known.

Barry Gray (G): And now ladies and gentlemen, my guest, Mr. Mark Lane, Attorney. Who, by the way, I'm told will address the people of New York on Monday, July 20. That would be tomorrow night and also continuing through Sunday, July the 26, at Theater Four which is 424 West 55th Street. Mark, can you tell me what that's all about before we get into the body of the discussion?

Mark Lane (L): Well, I'll be speaking I guess about two or two and half hours on all the information we've uncovered in reference to the assassination of President Kennedy.

G: And, uh, this, uh, show, documentary whatever is being presented by whom?

L: By the Citizen's Committee of Inquiry which is a nationwide organization conducting an inquiry, a citizen's inquiry into an independent investigation into the Dallas situation.

G: Who are some of your members?

L: Sterling Hayden of Dr. Strangelove, and Jessica Mitford, and here in New York City, Ted Mann the producer and, uh, author, and a number of attorneys associated, many of them, with the American Civil Liberties Union throughout the country, including some in California.

Assassination of President
John Fitzgerald Kennedy

G: Uh, I don't know if this is the direction that you wish to take in this, uh, uh, dialogue, but it occurs to me in the last two times that you've been here, there have been countless interruptions, and I, as one bystander, really have not had an opportunity to examine, and digest, or hear all of the facts that you say you now have that change the complexion of this story the, uh, assassination of President Kennedy and the man that we believe is responsible and so, if you will, why don't you start logically at the beginning and tell me.

L: Fine. I thank you very much for that opportunity, Barry. The first statement that was made just after the shots were fired was that Oswald's description, we now find out, was sent out some twelve minutes after the last shot was fired at 12:31 on November 22nd, the President was shot and Governor Connally was shot. Twelve minutes later Oswald's description was sent out. Now, when Oswald was arrested later in the day, the Chief of the Dallas Police, Jesse Curry, said that Oswald was not arrested in connection with the assassination at all. He was arrested because they thought he was involved in the murder of Patrolman Tippit, who of course, was the officer who was killed on that same day. And Mr. Curry said that only after Oswald had been questioned for approximately two hours about the Tippit killing was he then questioned, and charged with the murder of Tippit, was he then questioned at all about the assassination of the President. It didn't occur to them they said at the outset that he might have been involved in the assassination. That's quite remarkable since Oswald's description, which was accurately broadcast by the police, perhaps the only accurate thing the Dallas Police did that day, was sent out twelve minutes after the President was shot, therefore, considerably before Tippit, himself was shot and the description we are now told was in reference to the murder of Tippit which had not yet taken place. In any event when Oswald was in custody, the Dallas Police stated and the Dallas District Attorney stated, this was reported in every newspaper, the Associated Press, UPI carried it, that the murder weapon which was found on the sixth floor of the

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Book Depository Building was a German Mauser, 7.65 millimeter and this document here, Barry, is a, an affidavit signed by Seymour Weitzman, the police officer who found the rifle on the sixth floor of the Book Depository Building, and in it he describes it as a Mauser, which is a German weapon 7.65 millimeter, and Mr. Wade, the District Attorney of Dallas, throughout the day identified the weapon found on the sixth floor of the Book Depository Building as a German Mauser. It was not until more than 24 hours later when the Federal Bureau of Investigation announced for the first time that an Italian Carbine 6.5 millimeter was purchased by Oswald under the assumed name of A. Hidell back in March of 63, did Mr. Wade jump in front of the first live television camera he could find in Dallas to announce that a miracle had taken place. The weapon which they found yesterday had transformed itself in terms of its nationality and size and now what we found yesterday said Wade was an Italian Carbine 6.5 millimeter. Now, when I testified before the Warren Commission on July 2, they showed me the murder weapon which had been identified in this sworn affidavit by the officer who found it as a German Mauser, 7.65. Clearly etched on the barrel of that rifle in large letters it says "Made in Italy, Caliber 6.5." I suggest it was impossible for the officer to read that and then swear that it was a German Mauser, 7.65 millimeter, but that the rifles were switched to meet the description of the rifle, uh, which had allegedly been ordered by Oswald back in March. Now, Marina Oswald, who was held in custody for some nine weeks, according to the "New York Times" held incommunicado for nine weeks before she was permitted to testify before the Commission, was questioned for two days before she was held in custody. She was taken into the Dallas Chief of Police Office and shown the alleged murder weapon and asked if that belonged to her husband and despite the fact that later when she testified before the Commission, after having been held incommunicado and questioned daily by the FBI and the Secret Service, then she said "yes, it was her husband's weapon." At that time, the very day of the assassination when shown the weapon at the Dallas Police

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Office she said "no that was not a weapon which belonged to her husband." She was quite certain of it at that time. She also said she was sure that her husband was innocent; that he had only said kind things about President Kennedy; that she herself, felt very kindly about the President and his family and that all the information she secured about the President, she secured through her husband who interpreted the newspapers and explained to her what was taking place on television. And, so, the most essential piece of physical evidence in the case seems to have been altered. In addition to this, Mr. Wade, when he pronounced the case against Oswald the day of Oswald's death that evening in his international radio press television conference, said that the, when Oswald left the building, he entered into a bus and then he left the bus to go home and entered into a taxicab driven by Darrell Click and he said "I'll spell that for you boys, Click, C-l-i-c-k." When I went to Dallas, I spoke with the city personnel, city transportation company, the personnel office. That's the one company monopoly running all taxis in Dallas. There is not on November 22nd, and there never had been in the history of Dallas a taxi driver named Click, Darrell Click, C-l-i-c-k. When confronted with this information, and Mr. Wade remember told us he had a sworn statement in his office from this Mr. Click who was a nonexistent person. When this information was broadcast and made public, Mr. Wade then said, the District Attorney of Dallas then said well I made a mistake. Evidently there must have been some typographical mistake, and he later said the name of the taxi driver is a William Whaley and so the person who drove Oswald allegedly home, he also was changed. Now, perhaps the most shocking piece of evidence is the statement by the Federal Bureau of Investigation's Chief in Dallas, Gordon Shanklin, quoted in the "New York Times" and other publications and he said "I have seen the paraffin test. It shows that Oswald had nitrates gun powder on his hands and on his face and since it's on his hands and on his face, it is proof that he fired a rifle." The Chief of the Dallas Police, Mr. Curry, uh, was not quite so factual. He merely said "we have the paraffin test boys," this is on November 23rd, "it's just come in." "It proves that Oswald was the assassin."

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Here is the duplicate copy, a photostatic copy of the original paraffin test. Only one test can be conducted. This is the copy of it and an exhibit, uh, three exhibits were made. One of each of Oswald's hands and one of his face. The, both exhibits of his hands show a positive response. The response in terms of his face is as follows which is exhibit number one a cast of Oswald's face. Results of examination: no nitrates were found on exhibit number one. That's the official document of the Dallas City County Criminal Investigation Laboratory, Analyst Louie L. Anderson. In other words, this paraffin test if it proves anything in addition to proving the fact that the Director of the FBI in Dallas made a deliberate falsehood when he said it showed there were nitrates on the face and Mr. Curry, himself, was in error in stating that it proved that Oswald was the assassin. If the test is of any value, it proves that Oswald could not have fired a rifle on November 22nd. Unless, of course, he was wearing a rubber face mask or some such thing. But, ordinarily, it would tend to prove that he did not fire a rifle on that day. Now I think this is indicative of the problems facing the American people and the people of the world who are also deeply concerned about the events of Dallas on the 22nd in terms of getting the facts because all of these--this information has been termed "Top Secret" by the Commission and by the Government, but nevertheless, the Director of the FBI in Dallas is permitted to make statements which are totally untrue and had we not been fortunate enough to secure a copy of the original paraffin test, we would not know those statements are untrue. On the question of the murder of Patrolman Tippit there, uh, we were told by the District Attorney and by the Chief of Police that they had, that a number of witnesses identified Oswald as the person who killed Tippit. Now, Oswald, uh, has already, if the story is accurate, left the Book Depository Building, taken a bus, then a taxicab, gone home, and he is now walking through the streets trying obviously to hide. He is the most wanted man in the history of America. Obviously he committed the worst crime ever committed, these shores and he sees Tippit and for some reason he kills him. It would seem that

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Tippit must have tried to stop him. According to the Chief of Police, uh, according to the stories which were released at the time, Tippit did try to stop him and according to Chief Curry in a statement given to the "New York Times" and printed there some months ago, Curry said if it were not for Tippit stopping Oswald, we never would have found Oswald. We would have had to instead have made a run down of all the 90 employees in the Book Depository Building to get Oswald's description. By then he may have been out of the country. Well, the fact is that Tippit, we were told, was stopping Oswald because of the description which had been broadcast twelve minutes after the assassination. That was the first story and now they were saying there was no description and if Tippit had not stopped Oswald that perhaps the description would have come too late. Well, there was one eyewitness to the assassination, the murder of Patrolman Tippit. Her name is Helen Louise Markham. I have the affidavit here which she gave to the Dallas District Attorney's Office. I also have the-- this controversial tape recording which I made reference to before the Commission and which the Chief Justice has indicated that he does not believe exists, but there is such a tape recording and I will play it for you if you like.

G: Uh, uh, excuse me Mark. Has this tape ever been played before?

L: It has never been played anywhere before.

G: So, this is the first time it will have been heard by anyone except you?

L: That, that is correct.

G: And, uh, Chief Justice Warren asked you to play it for the Commission?

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L: Yes, he did.

G: And you refused?

L: I refused at that time. I explained to the Chief Justice that there was an attorney-client relationship here. I was not permitted to release this information to anyone and the Commission was quite hostile about that, but I explained to them that unfortunately that that was the situation. I would try to secure permission to play it. To secure a copy of it for them. I have since then secured permission and today I mailed a copy of this tape to them.

G: I see.

L: But they've not heard it yet.

G: I see. Go ahead. Now, you have there an affidavit by the alleged eyewitness to the murder of Patrolman Tippit?

L: Yes. And her name is Helen Louise Markham, and in her affidavit, this is the one she gave to the -- the Dallas Police on the 22nd day of November, an affidavit in any fact taken before me in this State of Texas, County of Dallas. At approximately, I'm quoting now. It's a short affidavit. I'd like to read it all.

G: Please.

L: "At approximately 1:06 p.m., November 22nd, 1963, I was standing on the corner of East Tenth and Patton Street waiting for traffic to go by when I saw a squad car stop in front of 404 East Tenth, about 50 feet from where I was standing. I saw a young white man walk up to the squad car opposite the driver's side, lean over and put his arms in the door of the car for a few seconds, then straighten up and step back from the car two or three feet. At this point the officer got out of the squad car and started around in front of the car,

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and just as he got even with the left front wheel, this young white man shot the officer and the officer fell to the pavement. I screamed and the man ran west on East Tenth Street across Patton Street and went out of sight. Helen L. Markham." According to this affidavit, therefore, Mr. Oswald who was the most wanted man in America at that time was walking down Patton and Tenth Street until he saw a parked police car. Without being called over, he walked over to the police car, leaned on the door with both of his arms, and engaged in a short conversation with the officer and then later killed him. Uh, I, it would hardly seem like the kind of conduct of someone who is trying to escape from the authorities would ordinarily engage in. In any event, Mrs. Markham told me at the one point that the man who she saw was wearing a light gray jacket. Now, when Oswald was last seen at the Book Depository Building he was wearing a dark brown shirt and when he was arrested and brought into the Dallas Police Station moments after the killing of Tippit, he was wearing a dark brown shirt and no light gray jacket at all. Uh, Mrs. Markham said that the man who shot Tippit was short. Oswald, according to the Dallas Police description was medium or a little bit taller than medium height, about five feet ten. Mrs. Markham said that the man who shot Tippit was a man who had somewhat bushy hair. She used different phrases. At one time she said bushy hair. Another time she said somewhat. Another time she said a little bushy, but she told the reporters, and this was reported in the Dallas newspapers the day of the assassination, that the man was bushy haired without any qualification. By the time she spoke with me on March 2 there was some qualifications, but it was still somewhat bushy or a little bushy. She told the Dallas reporters and it was reported in the "Dallas Times Herald" just after the assassination that the man was heavy. She didn't tell me quite that he was heavy. She, uh, said he was a little on the heavy side, slightly heavy, etc. words of qualification. The only part of the description which is not qualified was the, his being short. She was quite firm about that. Now, Oswald was quite slender, a little taller than average, and he had very thin hair which was receding. And, one could hardly think of a description, uh, which differed more from Oswald than the description, uh, given by Mrs. Markham the one eyewitness to the murder of Tippit.

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G: How tall is Mrs. Markham?

L: I don't know. I haven't, I haven't seen her. I've just spoken to her by phone and of that time a couple of correspondence. I think it's a good question if she's short someone her height, a little taller might appear tall. Yes, I should find that out. Uh, and, so we have this statement in reference to, uh, to Patrolman Tippit. I can tell you this. We now have a statement, uh, from another witness to the, uh, Tippit killing. This is a witness who has been questioned at our request by the Federal Bureau of Investigation. Months and months ago she was questioned. She is an eyewitness to the killing of Officer Tippit. To this day she has not been called before the Warren Commission to testify, and her statement is that she saw the killing of Tippit and two men were involved in the murder of Tippit, two men. One on each side of the street conversing with each other. Tippit got out of the car and walked toward one, this man pulled out a revolver, shot that man and then both of these men, who had been conversing before the shooting, ran in opposite directions. Thus far the Commission, which I assume must know of this testimony because we gave it to the FBI months ago and now we have given it to the Commission as well, the Commission has declined to call this eyewitness to the, this other eyewitness to the murder of Patrolman Tippit. I have made no reference to this other eyewitness until this time. We wanted to make sure that our statements were secured from her in writing and by tape, etc., so there could be no question about that. We now have, uh, the statements secured in that fashion so I can't--

G: Do you--

L: Make reference to her.

G: Do you have a statement here with you?

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John Fitzgerald Kennedy

L: I am not in, uh, I do not have her permission at this time to release her statement but I hope that within the next two weeks I will be able to release her statement entirely.

G: To whom was her first voluntary, uh, statement made?

L: To someone associated with our inquiry.

G: No, I, I don't mean that, Mark, I'm, I'm talking about the FBI. Did she come forward shortly after November 22nd, and say I saw the killing of Officer Tippitt?

L: She stated this to Agents who came in that neighborhood and questioned her, yes.

G: And, has, have they gone back to interview her, to interrogate her?

L: Yes, they have questioned her on more than one occasion.

G: And she has not been called by the Warren Commission?

L: She has not been called by the Commission.

G: And, uh, why does she suggest this be so, or what is your suggestion?

L: She has no theories at all and, uh, she is, she is an excellent witness in, in the area of speculation or conjecture. She says I'm sorry I don't know about that, and if you ask her a question, just try to lead her slightly, she said I'm sorry I just gave you all the information I have. She is very firm about what she knows and she won't go into this area as to why they're not calling her, she merely says I'm telling the truth and I'll tell it to anyone who wants to hear it but I can't tell anything which I don't know.

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G: Is there something you want to add here before you get to the tape?

L: No, I think perhaps this might be a good point.

G: Well, I, I actually want to play the tape immediately after the news which is just a moment or two, Mark Lane, but I, I want, want to ask this, are you at liberty now to tell me and the audience how you obtained the conversation with Mrs. Markham, your taped witness?

L: This was a telephone conversation, which was taped, unfortunately, the law would require that whoever was involved, himself, in the taping probably has violated the law, the rules of the Federal Communications Commission if this took place from one state to another. And, under those circumstances, I think it's best that I not go into the question of how it was taped or taped, or who did it. But, I can tell you that it's been sent to the Commission. I've invited the Commission to play the tape for Mrs. Markham to see if she will identify this as her voice.

G: Has she identified it for you as her voice?

L: Uh, this, well.

(Garbled -- both talking)

G: Is, is she.

L: To my knowledge.

G: Do, do you have permission from her to release this tape?

L: No, I don't have permission from her.

G: Well, uh, why are you releasing it?

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L: She has been questioned any number of times. The Commission knows that there is such a tape and, uh, a copy of the tape has been sent to the Commission at their request. It is now a document which is totally and completely privileged in that it, uh, belongs to the Commission and has been sent to them in due course and I have a right to play it under those circumstance.

G: Was she aware of the fact at the time of the conversation that her voice was being recorded?

L: Well, that's, that, there we go into the legal question of whether or not anyone is libel for the commission of any act and I rather, therefore, not answer that particular question.

G: But you surely will be asked this question by the Warren Commission as I assume you already have.

L: Yes, they asked me that question and I gave them an answer somewhat similar to yours.

G: Uh, you had, you did not play the tape at that time because you say it was, uh, a privileged communication. Uh, and, I'm given to understand that at that time Chief Justice Warren said in effect, and please correct my language here, that he did not believe either a tape existed or the contents of the tape, which?

L: He indicated that he did not believe that the tape existed at all. Mrs. Markham evidently has been called before the Commission and has denied that she made any statement to me at all, denied that she ever talked with me. And, when the Commission told me that I said I'm sorry gentlemen, she did talk with me and I have a tape recording of what she said and the Chief Justice said that if I did not produce the tape recording, he was inclined to believe that it did not exist.

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G: As a lawyer, Mark Lane, and an officer of the court, can you explain to me what your liability is here?

L: Well, the liability of the person who made the tape, you mean?

G: Well, is it not, I've not heard the tape. Is it not your voice on the tape?

L: Oh, yes. Uh, the question is who, it is me. It is a conversation of my speaking with Mrs. Markham. The question is who actually made a recording of the conversation,

G: Uh.

L: Which took place.

G: How about-- how about the liability of the man who arranged for the recording to be made?

L: Well, yes, whoever arranged for it to be made would also be responsible.

G: And so, you're telling me now that you've made, you have a tape recording of a conversation between you and Mrs. Markham but you did not arrange for that recording to be made.

L: No, I'm just, I'm just not commenting on the question, that's all.

G: Will you ever answer the question?

L: Uh, I don't think so. I tell you, I don't, it's not really related to the question of the assassination.

G: No, I understand, I understand and, of course, uh, there are obviously cases in which the important thing is to get, uh, justice and worry about the periphery, uh, uh, areas after justice has been done.

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L: Yes, precisely.

G: Uh, on that note let's pause for the news on WMCA in New York. I'm talking with Mr. Mark Lane an attorney who is here in New York discussing the latest evidence in the assassination of, uh, President John F. Kennedy. And, uh, in a moment is going to play for the first time anywhere a tape recording of a conversation between he and Mrs. Markham. Mrs. Markham is the lady who witnessed the murder of Patrolman Tippit in Dallas, Texas, on that, uh, unfortunate and tragic day. Here's the news.

PAUSE IN TAPE RECORDING

G: Ladies and gentlemen, my guest on radio WMCA in New York is Mr. Mark Lane an attorney who has been retained to try and clear the name of the accused assassin of President Kennedy, Lee Harvey Oswald. He was formerly a New York State Assemblyman, and now, Mark Lane, suppose you, uh, give us the prologue of this tape.

L: Uh, I'll, I'll play it now. This is a conversation between myself and Mrs. Markham the eyewitness to the, or so she says, the, she says she's the sole eyewitness to the assassination of President Kennedy and this was a conversation which took place between us on March 2nd, 1964.

(Then he plays tape recording--starts where Mark Lane asks "Do you recall what the gentleman was wearing who shot Officer Tippit?")

A verbatim transcription of this tape recording incorporating that part played at this time has been furnished previously to the President's Commission.

(Lane stops recording where Mrs. Markham is saying "I just thought it was a friendly conversation.")

G: That's the, uh, tape recording played for the first time between Mrs. Markham and, uh, yourself?

L: Yes, that's correct.

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G: She said one thing, Mark Lane. She said she identified Oswald or the man who committed the murder in the lineup. I've never heard that before.

L: Yes, uh, she said that, uh, there was more to the tape recording than I played. It would take, uh, about, over an hour.

G: Yes.

L: And she does. And there-- there was also some conversation which was not recorded. But, uh, I do recall that she told me that she, I, I, discussed this with her in greater detail. She said she was taken to the lineup that evening of November 22nd and there were three men in the lineup and, uh, one of them was a very fat man with, uh, heavy, uh, blue shirt on and, uh, that was blue slipover sweater. That was obviously not the man who did it she said. And then there was one man wearing a light gray jacket and dark trousers, and she said that was the man.

G: Now, where did that gray jacket come from?

L: I would like to know that myself.

G: And was that man Oswald wearing the gray jacket in the lineup?

L: I don't, I don't know. She said that she was told that it was Oswald.

G: Well, we must assume that it was.

L: Well, I, at this point I'm not ready to assume that anything the Dallas Police say is necessarily so. I haven't been able to catch them in an accuracy yet.

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G: It, it should certainly be easy to find out whether Oswald was in indeed in the lineup and, uh, who the other men were. Obviously, police officers or police attaches of one kind that's the---

L: Or suspects, yes.

G: Or some-- Well, I doubt that. They usually put policemen around them, four or five and the, the uh, uh, man accused of crime mixed up in the group.

L: Yes, I think that's true. I think it's rather unusual to find someone with a gray jacket and dark trousers when, especially when she gives that description. She only gave that description as she said to the Dallas Police and then there was a man in the lineup with a gray jacket and dark trousers. When Oswald was brought to the police station, he had no gray, uh, jacket at all. He just had that dark brown shirt which, of course, is present in all of the pictures of Oswald.

G: Yes.

L: In the police, police station and being taken to the police station and on television.

G: Now, uh, earlier on, not tonight but in a past discussion here with a member of the conservative party, you started to tell me before we ran out of time, uh, unless you want to add something in this area.

L: No, no.

G: Fine. You started to tell me about the assassination itself and the things that you have uncovered.

L: Yes. Well, uh, the, probably the most remarkable thing is the fact that three versions of the, official versions of what took place all different have been presented in order by the Federal and state authorities including the FBI and

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the Dallas Police and the Dallas District Attorney's Office. We started with one piece of hard intelligence. That is that a bullet entered the President's throat from the front. About that there was no question. Doctor Kemp Clark, the physician who pronounced the President dead in the Parkland Memorial Hospital, said that the bullet wound in the throat was clearly an entrance wound. Dr. McClelland, the Senior physician of the hospital, said the wound in the throat was an entrance wound. He said we see bullet wounds and we treat them every day here in Dallas and I know an entrance wound, which is small and neat, from an exit wound, which is large and gapping. That was an entrance wound. And Dr. Malcolm Perry, who is the physician who performed the tracheotomy on the President, uh, said that it was clearly an entrance wound. He, in fact, inserted a tube into the President's throat and he said he followed the path of the bullet and the bullet ranged downward into the chest. He inserted the tube downward in that fashion in order to prevent the President from strangling on the blood in his throat at that time and prolonged his life a short period of time in that fashion. And so, starting with the information the President was shot from the front, the first theory was released. Mr. Wade said that he had a map. He had uncovered a map in Oswald's room which showed that Oswald had planned the shooting just as it took place. That is, Oswald was on the sixth floor of the Book Depository Building and as the car approached the building on Houston Street before it turned away down Elm while they were still approaching the building, Oswald fired the first shot. And the "New York Times" on November 23rd carried a greatly detailed story of the Government version then that Oswald fired from the building directly on Houston Street, swung his rifle in an arc of over, of over 90 degrees as the car made a sharp left turn, and then fired twice more striking the Governor and fatally wounding the President striking him in the back of the head. And that was the first theory. And that's theory was completely consistent with the medical evidence and, therefore, had that virtue

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because it did explain how the President was shot in front of the throat. However, the remarkable thing is that every witness on the scene and all the still pictures taken show that the car was not on Houston Street approaching the Book Depository Building when the first shot was fired, but, in fact, had passed the Book Depository Building, had made the sharp turn and was, the back of the car was facing the building when the first shot was fired. Governor Connally, himself said "Yes, we had turned already. We had gone 70 yards past the building. The building was behind us when the first shot was fired." Every witness said this. The Secret Service re-enacted the crime and found that every witness agreed. Four reporters writing in "The Dallas Morning News" the next day said that was true. There was no -- and the still pictures show that was true. And so theory number one explicitly explained by the Government and printed in the "Times" as the official version on the day after the assassination was completely abandoned and theory number two took place, placing the car where, actually where it was when the first shot was fired some 75 yards past the Book Depository Building and moving directly away from the building. This raises some questions. Uh, how did Oswald shoot the President from the front from behind? It raises another question. How about that map which Mr. Wade said "we have in our possession. We found it in Oswald's room showing that he planned to shoot as the car approached the build-- the building and while it was on Houston Street." Well, that was handled in this fashion November 27th, AP report, Mr. Wade announced today that there never was a map. Any reference to a map found in Oswald's room was a mistake. Well, it certainly was a mistake and, therefore, that piece of evidence was gone. But, how did Oswald shoot the President in the front of the throat when he was now behind him? Well, version number two was enunciated, and this was done at the request of the Federal Bureau of Investigation as a result of the background briefing sessions by "Life" magazine in a full page article on December 6th of, uh, last year called "An End to Nagging Rumors, Those Six Critical Seconds" and "Life" sought to end all dialogue in this case, in this country by stating it was very simple.

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Oswald did shoot the President from the front. The bullet entered the throat and ranged downward into the chest said "Life" on December 6th. It's true Oswald was in the Book Depository Building. It's true that the Presidential limousine had passed the building and was some 75 yards away. It's also true that Oswald was the lone assassin. How is it all possible said "Life." It's simple. It's simple because the President had turned completely around and was facing the Book Depository Building when the first shot was fired. Now, one has to question not only "Life's" judgment because that statement is totally in error. The President was looking almost directly to the front when the first shot was fired. But, more than their judgment is in question, I think, because the week before in "Life" magazine, itself, on November 29th they had, of course, previously purchased the film taken by the amateur photographer and they ran a series of stills from that motion picture film and with "Life's" own captions, the week before they ran the theory saying the President had turned around they showed in their own captions, in their own magazine on November 29th that the President was looking almost directly to the front when the first bullet entered his throat from the front. And so, "Life" a week later repudiated itself in order to explain this theory. The problem with that theory is that the motion picture showed that it was not true. We saw on television, of course, that picture has not been shown publicly here but we did see on television one reporter, I think he was a CBS reporter, who was shown the film and who then, uh, acted out what he had seen. And he showed that the President was looking almost directly to the front when the first shot was fired. Uh, the film does seem to show that, the still clip certainly show that everyone's testimony is that that is what happened, including reporters from "The Dallas Morning News" and others on the scene including Mrs. Connally who said the President --she had just said something to the President. Tragically enough she had just said "You cannot say, Mr. President, that the people of Dallas have not given you a warm welcome today."

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And he was leaning toward her. She was sitting in front of him when he was, when he was, uh, about to answer and was shot. (garbled)

G: I, I don't know, Mark Lane, if you're aware of the fact that the new "Life" magazine has a story by Mrs. Connally.

L: No, I haven't seen that.

G: Uh, Oh, I beg your pardon. It's not "Life," it's "McCall's." The new, the new "McCall's" magazine which I have just read last night. I believe an advance copy.

L: Oh.

G: Do you have it, Judy? I'd like, I'd like very much to have it--read that portion to you because it--it's a bit of, uh, uh, writing on this very point in which she describes the instant of the impact of the bullet.

L: Oh, I'd like very much to see it.

G: Judy will get it, and I will read it to you but go ahead.

L: Oh, fine, In any event it was now conceded that the President was looking forward, so version number two, uh, established by the authorities was abandoned. And now they had to come to version number three. But, any explanation of how Oswald shot the President from the front when he was behind him, if the President was looking forward, would have to require a change in the evidence it would seem. And that took place.

END OF REEL ONE

The physicians in the Parkland Memorial Hospital had never been questioned by a single Agent of the Federal, state, or local Government; no one from the FBI, the Secret Service, the Dallas Police, the Dallas District Attorney's Office for a month after the assassination. This is a, uh, very curious, uh, matter I would suggest because in any ordinary homicide there is a, uh -- when there is any question at all in terms

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of how the uh--where the shots came from, all that is required is the medical statement in terms of an analysis of how the bullet coursed through the, uh, body of the victim and then if you know which direction the person was facing, you just extirpolate that bullet path projectory and you know exactly where the shots came from. And so it is remarkable that a month passed and no one ever talked to these physicians who, of course, had examined the President while he was alive and were in an excellent position to explain, uh, the course of the path of the bullet and the damage it did to the President. But now a month passed and two Agents of the United States Secret Service then journeyed to the Parkland Memorial Hospital and met with the physicians. They had, the Secret Service Agents had a copy of the autopsy report on their laps but refused to allow the physicians to see it. And after three hour session with the, with the physicians, the Secret Service Agents were able to leave the room and to state that the physicians in the Parkland Memorial Hospital all announced and agreed that they were all in error when they said that the bullet wound in the throat was an entrance wound. They confessed error. The fact is that the President had been shot from the back. The bullet entered the top of the President's head and a fragment of the bullet or bone exited from the throat causing a large gapping wound which the physicians all thought was a small neat wound when they examined him in the Parkland Memorial Hospital. And so it seems that the evidence was sharply altered to meet the theory that Oswald was the lone assassin. Now Richard Dudmond, who is a highly respected Washington correspondent for the "St. Louis Post Dispatch" called Dr. McClelland and said what made you change your mind doctor? And Dr. McClelland said two things made me change my mind. First of all the autopsy and Dudmond said you saw the autopsy, and, uh, Dr. McClelland said no, they never let me, they wouldn't let me look at the autopsy but the Secret Service Agents told me what was in there and I believe them. And what was the second thing Dudmond said? And, uh,

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McClelland said the second thing which made me change my mind in believing that the wound in the throat was not an entrance wound but an exit wound was the history of the case given to me by the Secret Service Agents. Dudmond said you mean the medical history, and he said no, no, not the medical history. The Agents told me that Oswald was behind the President when he fired and, therefore, the wound in the throat would have to be an exit wound. I, I question that as expert medical testimony. The other physician, Dr. Malcolm Perry told a reporter for a national news magazine "Newsweek" magazine which has the story in their files but has never yet printed it, told one of their reporters that I can only tell you this, that the wound in the throat is officially now an exit wound and, uh, she asked how, how he could be so certain at one time that it was an entrance wound and now take the position it was an exit wound. Actually, uh, one must remember that the story now is that the President was shot in the back of the head and the bullet exited from the throat. Why then did Dr. Perry insert a tube into the President's throat ranging downward into the chest following the path of the bullet if the bullet didn't go in that direction. And he indicated that that was a very good question. He said "I wish I could tell you more about this case but I'm not permitted to discuss the case I'm only permitted to say the wound in the throat is a exit wound and I can say off the record that that certainly ties up the case very neatly for the FBI in view of the rest of the evidence does it not." That was the last medical statement that I know of on the case by the Parkland Hospital doctors.

G: Mark Lane, I, I have in the inner room got the up coming edition of the "McCall's" magazine not yet on the stands I don't believe.

L: Yes.

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G: It is by Mrs. John Connally, wife of the Governor of Texas, as told to Michael Drury. Again the August edition of "McCall's." I quote an excerpts but every word of the excerpt. "The crowds were tremendous. We rode through downtown Dallas surrounded by cheerful happy faces. I was delighted. It isn't easy to ride in a motorcade; you have to look pleasant, yet you don't want a frozen smile on your face. It is something of a strain, and as we neared the end of the run, we all began to relax and let down a little. It was a wonderfully triumphant moment, and unable to restrain my pleasure any longer, I turned on the jump seat and said 'Mr. President, you can't say Dallas doesn't love you.' He did not reply, or if he did, it was lost in the terror of what followed, for in that instant the first shot rang out. I heard it and though I handle guns myself and am familiar with rifles, I did not in that split second realize it was gunfire. I knew only that it was an ominous and frightening sound, that we were caught in something terribly wrong. I looked directly at the President. He clutched his throat with both hands, and I felt sure he was dead. His face went blank. There was no pain or shock or fear just nothingness. His face was completely expressionless, as if the person had gone. Sitting on my right, John" the Governor, "turned very fast to his right trying to look around at the President. Not getting him in his line of vision, he started turning to his left and the second bullet hit him. I heard John say, 'They're going to kill us all.' He recoiled to his right and slumped over, still upright in his seat. My one thought was to get him out of the line of fire, and I pulled him down onto my lap and bent over him. It did not occur to me that I might be hit, too; I thought my husband was dead, and I could not think beyond that. As it happened, that instinctive action helped save his life because the bullet had torn through his right shoulder and out his chest leaving what is called a sucking wound. That means that every time you breathe, you take in more air through the wound than into your lungs and you strangle. A doctor's first act would have

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been to close that wound and when I pulled John down on my lap," he-- "his crouched position partially blocked it. Even so, if the hospital had been minutes farther away, we might not have made it in time. I heard the third shot and the Secret Service command to pull out of the motorcade and drive to the nearest hospital; but after John was hit, I didn't look back again." And then she goes on into the rest of the narrative.

L: Yes, that is completely consistent with all of the evidence I have in terms of what took place. But, that is totally inconsistent with the present posture of the Government in terms of how it all happened. The, uh, last word on the medical testimony was printed in the "New York Times" with pictures, perhaps you recall when the Secret Service posed down in Dallas and they drew marks on the various individuals representing the President and Governor Connally to indicate how the shots were fired. They indicated that the first bullet and this is the latest official Government theory according to the "New York Times" with the Secret Service Agents with the chalk marks and tape marks on them. They now indicate that the first bullet entered the President's right shoulder, went through the shoulder, and went into Governor Connally. Now, the problem with that story is that the Governor was, therefore, looking directly to the front. He had not yet had a chance to turn around after the first bullet had actually entered the President's throat. The second problem with that story is if it is true that the first bullet entered the President's shoulder and went through him and struck the Governor, why did the President then clutch his throat when the first shot was fired?

G: Mark, I must pause for the news on WMCA, New York. I'm talking with Mr. Mark Lane, Attorney who has been retained as you know to try and clear the name of the late Lee Harvey Oswald. I should add here as I did at the beginning of the broadcast that this is merely an opportunity to, uh, hear the, uh, Mark Lane ideas, theories, uh, the information that he has gathered and by no means is it a testament by me that I approve

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of the facts because like you, I'm a witness sitting by the side of the road, uh, very much interested in this case, obviously. But I have no way of ascertaining the truth or veracity of the comment. Mark, is there anything you want to add? Where does the investigation stand at the moment?

L: Well, we're eagerly awaiting the, uh, report of the Warren Commission to find out what, I assume, will be the last Government position on what took place on the 22nd in Dallas.

G: There, there's one thing which you've not touched on. Has the theory been advanced as I sure, I'm sure it must have that this entry wound in the throat was as the result of a ricocheting bullet?

L: No, I don't think so. I think that in all the various Government theories as to what happened, they never passed, uh, along that one at all except to say that the bullet entered the top of the head from the rear and exited either a bullet fragment or bone fragment exited at the throat. But, uh, I'm very grateful to you for this reference to Mrs. Connally's article in "McCall's" because it's, uh, it's consistent with everything that we've been able to discover in terms of what took place and as, as totally inconsistent with the Government medical evidence now as there can be because the present Government story--

G: Uh.

L: Is that the bullet, the, the first bullet entered the President's shoulder and went through Governor Connally before he turned around and she said that's not true. The pictures show that's not true.

G: The implication here though, Mark, by you is that the Government or the Warren Commission is for some reason trying to keep witnesses out. The, the lady that you referred to

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who as an eyewitness to the Tippit slaying; the autopsy report not shown to the doctor; the, uh, the uh, dialogue on the entry or the exit of the bullet. The implication would seem that the, uh, Government doesn't want all of the story released. Now, why would they--

L: Yes, I believe that is, that is true.

G: But why?

L: I don't really know that. I can just tell you, that uh, I won't name him but a very good friend of both of ours who is a leading liberal in this town with whom I discussed the case said to me "Why don't you drop the whole thing? Let's assume that Oswald was innocent or that there were, there was a group involving Oswald, either way, and that the Government's story is incorrect. Oswald is dead; the President is dead. What can possibly gain by raising these things?" And, well, I won't give my answer. I think it should be--

G: Well, my answer, my answer to that would be if there are two men or three men or nine men or fifty men involved, then I want all of them brought to justice.

L: Yes, of course. I, I feel that too. And I think we should have all of the facts. This was the most important public crime, most dastardly crime in the history of our country, and I think we're entitled to all the facts in a democratic society.

G: Are you, are you telling me also that you believe Oswald is innocent or was Oswald an accomplice in a larger group?

L: Well, I don't know. I do know that the, the story that Oswald was the lone assassin cannot be true; that the medical evidence and the other facts prove that that is not true. Now I have not seen evidence which proves that Oswald was involved in the assassination. There are a number of things

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that he did that day, which would, which raise questions in my mind, quite frankly, and would have to be explained. Unfortunately, I was not able to see him. He was killed before-- he was the only client I ever represented who was killed before I represented him and, therefore, I, I am unable, I'm at a disadvantage and so is, therefore, his defense. Uh, I just want to finish this last point.

G: Please.

L: If I might Barry, and then this, this leading liberal would say to me when I explained to him as you did that, as you did a moment ago why it's important to get the facts. He'd say "Well, don't you have faith in the Chief Justice and the Commission to get all the facts?" I'd say, then say to him this that I have faith in you too. You're a great liberal. You're really concerned about the Government and, uh, and uh, the functioning of democracy. But you have asked me to stay out of this. You've indicated that you, yourself, would suppress the facts because Oswald is dead; the President is dead. I think that in a functioning democratic society we can't have faith in any one individual to get the facts and to think for us no matter how benign he may be. We have to do the hard work ourselves in order for democracy to thrive.

G: Mark Lane, I thank you very much. Ladies and gentlemen Mark Lane, Attorney, who had been retained to try and clear the name of Lee Harvey Oswald, no longer retained I understand by Mrs. Oswald. The tape that you've heard this evening has been played on the air for the first time anywhere. A copy of that tape was sent prior to the broadcast to the Warren Commission by Mr. Lane and, uh, he's going to be appearing this week beginning tomorrow through next Sunday at Theater Four at 424 West 55th Street as he puts it to discuss the latest evidence in the assassination at a series of public lectures. I thank you very much.

L: Thank you.

END REEL TWO



In Reply, Please Refer to
File No.

Commission No. 1418a

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Dallas, Texas

August 7, 1964

RP
MARK LANE

LEE HARVEY OSWALD

The President's Commission advised during a recent appearance on the Barry Gray program, which is broadcast nightly over Station WMCA, New York City, Mark Lane alleged that several months before he had advised the Federal Bureau of Investigation of a witness to the Tippit shooting. This alleged witness, who is a woman, was reported to have been interviewed by the Federal Bureau of Investigation, but she was never called as a witness by the President's Commission. She is alleged to have stated she saw two people involved in the Tippit shooting, one on each side of the street, conversing with each other. After the shooting of Tippit, these two men were alleged to have run in opposite directions. In the broadcast, which was taped, Lane refers to the woman as "another witness to the Tippit killing" and "this other eye-witness to the murder of Patrolman Tippit."

The President's Commission, by undated letter received at Federal Bureau of Investigation headquarters, Washington, D. C., July 29, 1964, requested it be advised whether Mr. Lane or anyone associated with him furnished information to the Federal Bureau of Investigation about a witness meeting the above description, and whether or not such a woman was interviewed by the Federal Bureau of Investigation. The President's Commission also requested to be advised whether the name of this witness was furnished to it if such a witness exists.

A review of all references to Mark Lane contained in the files of the Dallas Office of the Federal Bureau of Investigation was made and no information was located indicating

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Mr. Lane, or an associate, furnished information regarding a woman witness to the shooting of Tippit as described previously. It is noted in this connection, that as late as April 30, 1964, Lane, in his speeches, stated there was only one eyewitness to the Tippit shooting, namely, Helen Louise Markham.

A review of the investigation relating to the shooting of J. D. Tippit was made, and there is only one known female eyewitness to the shooting. This one eyewitness is Helen Louise Markham, who has testified before the President's Commission.

It was noted during a review of the results of investigation relating to the Tippit shooting, the report of Special Agent Robert P. Gemberling, Dallas, Texas, dated March 10, 1964, on pages 262-264, sets forth the interview of Ted Callaway. Mr. Callaway, who, on November 22, 1963, was employed at Harris Brothers Auto Sales, 501 East Jefferson, Dallas, Texas, stated at about 1:00 P.M. that date he heard about five shots, which apparently came from the back of the car sales lot on 10th Street. He stated he ran out on the Patton Street side of the sales lot toward 10th Street, looking in the direction of 10th Street, when he observed a person running in a sort of trot on the east side of Patton toward Jefferson Avenue. This man had a pistol in his right hand in a "raised pistol" position. He said the man was across the street from him and he hollered at the man, "Hey, man, what the hell is going on!" He said the man slowed his pace, shrugged his shoulders and made an unintelligible reply and continued toward Jefferson.

Mr. Callaway said he called to salesman B. D. Searcy and told him, "Keep your eye on that man and follow him." Callaway then went to the place on 10th Street east of Patton where Patrolman Tippit was lying in the street, apparently dead.

The report of Special Agent Gemberling dated February 11, 1964, on page 93 sets forth an interview with Mrs. Mary Brock, who, on November 22, 1963, was employed at the Ballew Texaco Service Station located in the 600 block of East

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Jefferson Street in Dallas. Mrs. Brock advised that at about 1:30 P.M. on November 22, 1963, a man came past her walking at a fast pace. About five minutes later two individuals from Johnny Reynolds Used Car Lot came to the station and inquired if she had seen a young white man come by the station. She advised them she had and the person was last observed in the parking lot directly behind Ballew's Texaco Service Station. Mrs. Brock identified a photograph of Lee Harvey Oswald as being a picture of the individual she had seen. Mrs. Brock is not known to have appeared before the President's Commission, nor is it known whether she was interviewed by any member of the President's Commission.

On August 3, 1964, Mrs. Mary Brock, who now resides at 3519 30th Street, telephone SWift 9-5545, Lubbock, Texas, advised a Special Agent of the Federal Bureau of Investigation that she has not been contacted by Mark Lane, attorney, or anyone representing Lane, concerning the Lee Harvey Oswald matter. She has not furnished a signed statement to anyone concerning the Oswald matter, and, to her knowledge, no one has taped an interview with her.

She advised the first week of July 1964, she received a telephone call from a man who identified himself as George Nash, a law student at Columbia University, who claimed he was calling from Dallas, Texas, and was doing research on the assassination of President Kennedy. Nash asked her if she was the one who observed Lee Harvey Oswald walk, or run, through a service station, in Dallas, on November 22, 1963, and she informed she had seen Oswald. He asked her some questions concerning Oswald's actions and terminated the interview. He did not ask her if she had seen Oswald shoot Officer Tippit of the Dallas Police Department, and she certainly did not tell him she had witnessed the slaying of Officer Tippit.

She advised the only interviews she has had concerning Oswald were with the Federal Bureau of Investigation, and the telephone conversation had with George Nash the first week of July 1964.

LEE HARVEY OSWALD

The report of Special Agent Gemberling dated November 30, 1963, on pages 74-76, sets forth interviews with W. W. Scoggins, who on November 22, 1963, was employed as a cab driver for the Oak Cliff Cab Company, Dallas, Texas.

Scoggins advised that at approximately 1:25 p.m. on November 22, 1963, he was sitting in his cab preparing to eat his lunch. His cab at that time was parked on the east side of Patton Street facing north at 10th Street at a point where a stop sign had been, but which had been removed.

He observed a policeman in a squad car going east on 10th Street at a slow rate of speed. This officer stopped on 10th Street just east of Patton, got out of his car, and apparently said something to a man walking west on the south side of 10th Street. When the officer spoke to him, the man stopped.

The next thing that attracted Scoggins' attention was a gun firing and he heard three or four shots, saw smoke near the squad car, and saw the officer fall beside the car on the driver's side. The man, whom the officer had stopped, started running, proceeding west on 10th Street to Patton Street and then south on Patton Street onto Jefferson Avenue. As this man passed Scoggins' cab, he muttered either "Poor dumb cop" or "Poor damn cop", and he was observed to have a pistol in his left hand.

On November 23, 1963, Scoggins identified Lee Harvey Oswald as being the same individual whom he had seen shoot a uniformed police officer of the Dallas Police Department in the 400 block of East 10th Street on the early afternoon of November 22, 1963.

The report of Special Agent Gemberling dated April 15, 1964, on pages 232 and 233, records an interview with Barbara Jeannette Davis, who on November 22, 1963, was residing in an apartment at 400 East 10th Street, Dallas, Texas, the apartment building being located at the southeast corner of East 10th Street and Patton Street.

LEE HARVEY OSWALD

She advised that shortly after 12 noon, November 22, 1963, she had put her two children to bed for a nap and she had lain down with them. Her sister-in-law, Virginia Davis, was lying on a couch in Barbara's apartment at this time.

Approximately 15 to 30 minutes later she heard two loud reports, which she thought were gunshots. She and her sister-in-law ran to the front door of the house and looked out. She observed a young white man walking across her front yard in a southwesterly direction, who had a pistol in his hand and who appeared to be trying to unload it. The chamber of the pistol was open and he was shaking it as he walked. She and this individual looked at each other and he then disappeared around the corner of the house on Patton Street.

At this point she heard a woman, who was standing on the northwest corner of the intersection of East 10th Street and Patton Street, scream "He shot him, he shot him, he killed him", and saw her point toward a police car parked on East 10th Street, a short distance east of her residence. After seeing the police car approximately a house and a half from her residence, she went into her residence and called the police. She later went to the police car where she observed a uniformed police officer lying on the ground bleeding.

Later that same evening she identified a man in a line-up at the Dallas Police Department as being the same man whom she observed walking across the front of her yard carrying a pistol and trying to empty it. She later learned the individual, whom she identified, was Lee Harvey Oswald.

The report of Special Agent Gemberling dated April 15, 1964, on pages 234 and 235, records an interview with Virginia Davis, who on November 22, 1963, was also residing in an apartment at 400 East 10th Street, Dallas, Texas.

LEE HARVEY OSWALD

Virginia Davis stated sometime between 1 and 2 p.m. on November 22, 1963, she was lying on a couch in the apartment of her sister-in-law, Barbara Jeannette Davis, when she heard a loud noise like a blowout of a tire. After hearing a second loud noise, similar to the first one, she and her sister-in-law ran to the front door of the house and looked out. She observed a white man crossing the lawn in front of her residence, who was carrying a pistol and shaking it as if he were attempting to empty out some shells. He was walking in a southwesterly direction and disappeared around the corner of the house on Patton Street.

At this point she heard a woman, later identified as Mrs. Markham, who was standing on the northwest corner of the intersection of East 10th Street and Patton Street, scream "He's dead, he's dead, he shot him, call the police." She and her sister-in-law then went back inside the house and Barbara called the police. Shortly thereafter she and Barbara went to the vicinity of a police car, which was about 50 feet east of her home, and she observed an officer lying on the ground near the police car, who had blood on his face and chest.

Later that same evening she identified a man in a line-up at the Dallas Police Department as being the same man she observed walking across the lawn in front of her residence emptying a pistol. The man she identified was Lee Harvey Oswald.

It should be noted neither Barbara Jeannette Davis nor Virginia Davis actually saw the shooting of Dallas Police Officer J. D. Tippit, but they did observe Lee Harvey Oswald leaving the scene.

KP
Lane, Mark

CITIZENS' COMMITTEE OF INQUIRY

ROOM 422
156 FIFTH AVENUE
NEW YORK, N. Y. 10010
YU 9-6850

August 12, 1964

J. Lee Rankin, Esq.
General Counsel
President's Commission on the
Assassination of President Kennedy
200 Maryland Avenue N.E.
Washington, D.C. 20002

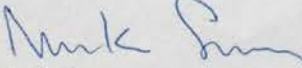
Dear Mr. Rankin:

In accordance with the request made by you and by the Chief Justice, I mailed to you at the above address our tape recording of statements made by Mrs. Helen Louise Markham.

This was mailed to you on July 14, almost one month ago. As of yet, neither my office nor I have received any acknowledgement from you, the Chief Justice or the Commission that the recording has been received. Also, I have received no further requests that it be sent.

Kindly inform me as soon as possible as to whether you have or have not received the recording. If necessary, send this acknowledgement by collect telegram.

Sincerely yours,


Mark Lane

ML/rc

(16)

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.

August 12, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, N. E.
Washington, D. C.

Dear Mr. Rankin:

Enclosed are two copies of a memorandum dated July 31, 1964, at Dallas, Texas, and two copies of a memorandum dated August 4, 1964, at New York, New York, which set forth additional information we have developed through our coverage and investigation of Mark Lane.

We will continue to furnish you with communications in duplicate containing further results of our investigation and coverage of Mark Lane.

Upon removal of classified material submitted herewith, this transmittal letter becomes unclassified.

Sincerely yours,

A handwritten signature, likely of J. Edgar Hoover, is written in ink below the "Sincerely yours," text. The signature is stylized and cursive.

Enclosures (4)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New York, New York
August 4, 1964

Commission No. 1380

Re: Mark Lane
Security Matter - C

All sources mentioned herein have furnished reliable information in the past unless otherwise indicated.

The "National Guardian" issue of July 18, 1964, page 7, contained an advertisement reading, "One Week Only, July 20 thru 26 at 8:30. Mark Lane on: 'Who Killed Kennedy? Theatre Four, 424 W 55th St., LT 1-7877.'"

Page 3, column 3, of this same issue contained an article entitled "Lane To Play Recording Challenged by Warren." This article read: "Mark Lane will present new evidence to show that Oswald could not have been the lone assassin of President Kennedy at a series of public meetings to be held at Theatre Four, 424 W. 55th St. New York, beginning Monday night, July 20, and continuing through July 26. Tickets are available at the box office and at the Citizens' Committee of Inquiry, 156 Fifth Ave., New York, YU 9-6850. Lane said the 'controversial tape recording' which Chief Justice Warren has stated he 'has every reason to doubt' exists (Guardian, July 11) will be played."

The "National Guardian" is characterized in the Appendix hereto.

On July 23, 1964, a first confidential source stated that on Wednesday night, July 22, 1964, a program entitled "Who Killed President Kennedy?" sponsored by the Citizens' Committee of Inquiry (CCI) was held at Theatre Four, 424 West 55th Street, New York City, from 8:30 p.m. to approximately midnight. This source stated the meeting was attended by about 175 people. This source also furnished the following information concerning details of the meeting:

Re: Mark Lane

The meeting was opened by a woman who identified herself as Deirdre Griswold, an officer of the New York Branch of the CCI. Griswold stated the CCI office was located at 156 5th Avenue, New York City, and had been in existence about four months. She stated the CCI has sister organizations located in England, France and Denmark. She criticized the American press for its lack of coverage concerning the work of the CCI and Mark Lane in their struggle for the "truth" relative to the circumstances surrounding the assassination of President John F. Kennedy in Dallas, Texas, in November, 1963.

Griswold stated that, in England the Committee is headed by world-famous philosopher Bertrand Russell; in Denmark it is headed by leading legal authorities; and in France the organization is under the chairmanship of French author Jean-Paul Sartre.

Griswold spoke of the work of Mark Lane in seeking the true facts concerning Lee Harvey Oswald, accused assassin of President Kennedy, and pointed out he had made five trips to Dallas, Texas, two transcontinental lecture tours and two trips to Europe in his efforts to convince intellectuals everywhere of the mysterious circumstances of Kennedy's death. She then introduced Mark Lane.

With regard to Deirdre Griswold, a second confidential source advised on September 5, 1963, that Griswold was named to the National Committee of the Workers World Party (WWP) at the Labor Day WWP Conference which was held on September 2, 1963, at WWP Headquarters, 46 West 21st Street, New York City.

The WWP is characterized in the Appendix hereto.

The first confidential source advised Mark Lane opened his lecture with a quotation attributed to the British philosopher, Lord Erskine, "Assassination is an act of patricide. Let us have a solemn pause before we rush to judgment."

Re: Mark Lane

Lane stated that accused assassin Lee Harvey Oswald had never had the services of an attorney and that pretrial prejudice against him was overwhelming. He stated a great mass of information relative to Oswald as given out by local, state and Federal agencies was so prejudicial as to preclude any chance of Oswald's receiving a fair trial.

Lane commented that immediately following events in Dallas, Texas, he planned to write a review for a law journal concerning Oswald and at that time never anticipated his involvement in the case. His article was thereafter refused by all liberal publications and finally published by the "National Guardian" which he termed the only publication with courage enough to place his remarks on the defense of Oswald before the public.

Lane stated the Dallas situation immediately following the assassination was chaotic. A poll taken after the assassination, according to Lane, showed the majority of American citizens believed the murder was the result of a conspiracy; almost all felt it could be laid at the door of the right wing extremists.

Lane stated the photograph of Oswald holding the alleged murder weapon on the cover of "Life" magazine compared with the picture which appeared in "The New York Times" newspaper and "Newsweek" magazine showed evidence that the photograph in "Life" had been retouched. In this connection he stated that on November 22, 1963, the Dallas District Attorney, Mr. Wade, had described the murder weapon as a German Mauser of 7.63 millimeter calibre. This same statement had originally been made by the Dallas police officer who found the weapon and Lane illustrated this point by the use of a slide projector to show a photostat of the police officer's affidavit from the files of the office of the Dallas District Attorney.

Lane said he had a friend who had been kind enough to get him all the files of the Dallas District Attorney's Office concerning the Oswald case which were "swiftly returned" after being carefully photostated.

Re: Mark Lane

Lane attributed the following statements to Dallas District Attorney Wade on November 22, 1963: The murder weapon was a Mauser. Oswald was a Communist Party member and Oswald used the alias of "Lee." Lane stated that on November 23, 1963, the rifle was changed to a 6.5 millimeter Italian Carbine and the alias was changed to "Hydell." In view of these facts, the question arose in his mind, "Was the rifle switched?"

Lane accused Wade of having invented a taxi driver named Daryl Click who never existed. Instead a person named William Whaley was suddenly produced as a taxi driver who gave Oswald a lift following the assassination. Again the question arose in his mind, "Were these individuals also switched?"

Lane stated the head of the Dallas Office of the Federal Bureau of Investigation (FBI) had stated that the paraffin tests taken after the assassination were conclusive evidence of Oswald's guilt. This was a lie in Lane's estimation, for while paraffin tests can prove innocence they rarely are acceptable as proof of guilt. He stated that the records of the Dallas District Attorney's Office showed the paraffin tests were positive on Oswald's face with evidence of some nitrates on his hands. Lane said this was by no means conclusive, for the nitrates could have come from handling ordinary paint.

Lane then considered the accusation that Oswald was the killer of Dallas Police Officer J. D. Tippit. He pointed out there was only one witness to the Tippit slaying, a Dallas woman named Helen Louise Markham. He had previously noted from the files of the Dallas District Attorney's Office a telephone number for Mrs. Markham and called her to get her story firsthand. Mrs. Markham stated she could not talk to Lane because she was forbidden to do so by the FBI, the Secret Service and the Dallas Police Department. Lane stated he told her she was an American citizen and therefore was free to talk to anyone. She again refused. Lane then told her he would be testifying before the Warren Commission and was seeking her help. Mrs. Markham stated that if he was part of the official investigation by the Warren Commission, she could talk to him. According to Lane, he told Mrs. Markham he was not an official of the Warren Commission but would be testifying before the Commission in the near future.

Re: Mark Lane

Mrs. Markham then told him the man who killed Tippit wore a gray jacket, had a short heavy build and had bushy hair.

Lane pointed out that Oswald wore a brown shirt while at the Texas School Book Depository building on the morning of November 22, 1963, and was wearing the same shirt when arrested in the Dallas theatre following the assassination. He stated Oswald had a slender build with a receding hairline.

With regard to his conversation with Mrs. Markham, Lane stated he first denied having a tape of the call because he thought it was not really important. Later when asked by the Warren Commission if he had such a tape, Lane claimed this tape was part of his client's material. He explained that at that time Mrs. Marguerite Oswald, Oswald's mother, was his client and would have to be consulted before he could give the Warren Commission a definite answer. In the meantime Lane said Mrs. Markham denied the interview and, in fact, denied talking to Lane at all.

Lane stated that during his appearance before the Warren Commission, Attorney Lee Rankin, in discussing the recording Lane made of conversation with Mrs. Markham, asked Lane if Mrs. Markham knew her conversation was being recorded. Lane stated he then decided he could not give the tape to the Warren Commission. Later he stated he wrote to Chief Justice Earl Warren asking that he not be prosecuted if he furnished the tape to the Warren Commission. Upon receipt of a letter from an assistant on the Warren Commission that there would be no prosecution, Lane stated he then sent the tape to Warren.

Lane stated two investigators from his office attempted to contact the Markham home at which time Mr. and Mrs. Markham refused to cooperate because they were under constant harassment from the FBI and the Dallas Police Department. At this time, however, their 21-year-old son, James Markham, accompanied Lane's investigators to their car and gave them information which Lane stated he could not divulge at this time.

Re: Mark Lane

Lane commented that the following day James Markham was arrested by the Dallas Police Department on a charge of burglary. A few days later he "fell from a window in jail" and since then has been in a critical condition at the Dallas jail hospital. Lane stated that all attempts to contact James Markham or his attorneys have failed.

Lane then discussed the strange circumstances surrounding the life of one Warren Reynolds, a witness to the flight of the killer of Tippit. He pointed out the story of Reynolds was also covered in the February 23, 1964, issue of the "New York Journal-American" newspaper by Columnist Bob Considine.

Lane stated that after the assassination a man attempted to kill Reynolds, but this man was released by the Dallas Police Department when he swore he was at the home of his girl friend at the time of the attempt on the life of Reynolds. Lane claimed this girl friend was a strip-teaser who had worked in Jack Ruby's night club. She was also arrested and later was hanged or hanged herself in jail. Lane further stated the accused boy friend in the shooting of Reynolds has also disappeared.

Lane alleged that the FBI, the Secret Service and the Dallas Police Department failed to adequately protect President Kennedy. He stated that despite the record of these agencies which he described as "sloppy," Chief Justice Warren must still depend on them for his ultimate judgment in the case. He stated that all members of the Warren Commission are really Government employees in one form or another and, therefore, are actually disqualified from serving on the Commission.

Lane told of being stopped on a street in New York in bad weather by Agents of the FBI who accused him of taking a Government file pertaining to the Oswald case. Lane further stated there are always two FBI Agents present when he speaks.

Re: Mark Lane

This source stated that following a short intermission, Lane gave a brief description of the assassination scene in Dallas, Texas. He stated the police agencies announced that a physical description of Oswald had been broadcast in Dallas, Texas, twelve minutes after the slaying of President Kennedy, which description followed a roll call at the Texas School Book Depository building where Oswald had been employed. Lane stated this was a lie as there never had been any roll call immediately following the assassination.

Lane pointed out the local Dallas newspapers on November 22, 1963, contained a map of the route of the Presidential motorcade. For some reason, the route had been changed from the original plan and the change carried the President near the Texas School Book Depository building. Who made the change? The FBI or the Secret Service?

On the matter of medical evidence, Lane claimed a shot entered the President's throat from the front which meant that he was looking forward when hit. He stated the doctors involved in the examination of the President changed their original analyses that the throat wound was an entry wound and later said it was an exit wound.

Lane stated that one Mrs. Hill heard shots from a direction other than the Texas School Book Depository building and further had heard four to six shots. Mrs. Hill later stated she had been threatened by the FBI and the Dallas Police Department and will no longer talk to Lane. Lane did, however, play a tape recording of his first interview with Mrs. Hill.

This source stated that in conclusion Lane listed several pertinent questions:

Why was the FBI so inefficient?

Why did the parade slow down at the Texas School Book Depository building?

Re: Mark Lane

According to this source, following his lecture Lane held a question-and-answer period during which an unidentified person asked Lane, "Do you feel there is a conspiracy with Government personnel involved?" Lane answered, "As a politician I know this cannot be answered. I want to work for truth. I only want facts not theory."

A third confidential source who also attended the meeting of July 22, 1964, furnished substantially the same information concerning the meeting as furnished by the first source. In addition, the third source stated that at one point during his lecture, Lane stated that when he appeared before the Warren Commission to testify he had asked that a copy of his testimony be forwarded to him at a later date. When his copy arrived, he found the first five pages were missing. Lane then insisted that these pages be sent to him and when they arrived, according to Lane, they were all marked "Top Secret."

On Monday, July 20, 1964, a fourth confidential source attended the Lane lecture held at Theatre Four, New York City, and furnished substantially the same information as furnished by the first source. In addition, the fourth source stated that at one point during the question and answer period Lane was asked that if he had so much evidence and had obviously developed such a strong case, why had he not approached the President's brother, Attorney General Robert Kennedy, and presented these facts to him? This source stated Lane was flushed and hesitated before answering. Lane stated the Attorney General and the enforcement agencies involved had as much or more information than he did.

According to this source, several people in the audience did not like Lane's answer and began yelling that Lane was not answering the question. Lane disregarded the jeers and continued to answer other questions. This source stated that quite a few people left at that time.

Re: Mark Lane

On Tuesday, July 21, 1964, a fifth confidential source and a sixth confidential source attended Mark Lane's lecture at Theatre Four, New York City. Both sources furnished information concerning this lecture, the content of which was substantially the same as furnished by the first confidential source.

In addition, the fifth confidential source advised that on July 21, 1964, Lane made the statement that there were six witnesses in Dallas, Texas, who had not been questioned by the FBI, the Secret Service or the Dallas Police Department. Lane continued that he would be returning to Dallas soon himself to continue his investigation.

On July 21, 1964, the sixth confidential source stated that when introducing Lane on that date, Deirdre Griswold identified herself as the National Director of the CCI.

During the question-and-answer period Lane discussed "new facts" received by his investigators from James Markham, the son of Helen Markham. According to this source, it was indicated that Lane had learned from James Markham that Helen Markham

This source further stated that near the conclusion of the meeting Lane announced that in November, 1964, there would be a conference in London, England, of all CCIs throughout the world on the Oswald case. He stated this conference would be attended by such notables as the French author Jean-Paul Sartre and the famous Dr. Albert Schweitzer.

On Thursday, July 23, 1964, a seventh confidential source furnished information concerning the Mark Lane lecture given on that date at Theatre Four, New York City, the content of which was substantially the same as that furnished by the first confidential source. In addition,

Re: Mark Lane

during this lecture, according to the seventh confidential source, Lane stated that the law enforcement agencies, including the FBI, the Secret Service and the Dallas Police Department, insist that only three bullets were fired during the assassination of President Kennedy, while they have full knowledge that actually more than three bullets were fired.

On Friday, July 24, 1964, an eighth confidential source attended the Mark Lane lecture given on that date at Theatre Four, New York City, the content of which was substantially the same as that furnished by the first confidential source. In addition, the eighth confidential source stated that Lane remarked that according to witnesses more than three shots were fired during the assassination of President Kennedy. He also stated that using an Italian Carbine, allegedly the assassination weapon, it would be impossible to fire more than three shots in five and a half seconds. According to the eighth confidential source, Lane stated the Kennedy family had shown "great displeasure" with the FBI over the assassination. Lane also stated that he will publish a book before the end of the year and that the completion of the book is being delayed, awaiting the publication of the Warren report.

According to the eighth confidential source, during the question-and-answer period following Lane's lecture, he was asked about the testimony and behavior of Marina Oswald, wife of Lee Harvey Oswald.

In answer to this question, Lane stated that at the beginning Marina Oswald had declared her husband was innocent but after his death and after nine weeks of being held incommunicado by Agents of the FBI and Secret Service, she reversed her statement. Lane stated that in some other countries this would be called "brainwashing."

On Saturday, July 25, 1964, a ninth confidential source attended the Lane lecture held that date at Theatre Four, New York City, the content of which was substantially the same as that furnished by the first confidential source.

Re: Mark Lane

On Sunday, July 26, 1964, a tenth confidential source attended the Lane lecture held that date at Theatre Four; New York City, the content of which was substantially the same as that furnished by the first confidential source. In addition, the tenth confidential source stated that at the conclusion of the lecture, Lane announced that he would hold one more "holdover" lecture by popular demand on Monday evening, July 27, 1964, also at Theatre Four, New York City.

Re: Mark Lane

1.

APPENDIX

"NATIONAL GUARDIAN"

The "Guide to Subversive Organizations and Publications," revised and published as of December 1, 1961, prepared and released by the Committee on Un-American Activities, United States House of Representatives, Washington, D.C., contains the following concerning the "National Guardian":

"National Guardian

- "1. Established by the American Labor Party in 1947 as a "progressive" weekly * * *. Although it denies having any affiliation with the Communist Party, it has manifested itself from the beginning as a virtual official propaganda arm of Soviet Russia. (Committee on Un-American Activities, Report, Trial by Treason: The National Committee to Secure Justice for the ROSENBERGS and MORTON SOBELL, August 25, 1956, p. 12.)"

Re: Mark Lane

1.

APPENDIX

WORKERS WORLD PARTY

On April 17, 1959, a confidential source advised that on February 12, 1959, a Socialist Workers Party (SWP) minority group, under the leadership of National Committee member, SAM BALLAN, split from the SWP.

The source stated that this minority group, referred to as the Marcyites, after many years of program and policy differences on varied issues concerning tactics and interpretation of political events, split from the SWP on the grounds that the Party was liquidating itself by departing from the Marxist precepts of LEON TROTSKY and retreating from the fight for the world socialist revolution. The final issue which ultimately forced the split was the minority's opposition to the SWP regroupment policy which involved cooperation with the Communist Party (CP) periphery individuals characterized by the minority as petty-bourgeois.

The minority program, according to the source, advocated unconditional defense of the Soviet Union and has as its goal the building of a revolutionary party with a complete proletarian orientation for the purpose of overthrowing capitalism in the United States and throughout the world.

On May 12, 1960, the source advised that this minority group had chosen the name Workers World Party.

On April 27, 1964, a second source advised that the Workers World Party, which maintains headquarters at 46 West 21st Street, New York, New York, supports the People's Republic of China in its ideological dispute with the Soviet Union.

The SWP and the CP have been designated pursuant to Executive Order 10450.

Date:08/12/93
Page:1

JFK ASSASSINATION SYSTEM

IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : WC
RECORD NUMBER : 179-40001-10342

RECORDS SERIES :
09: LANE, MARK

AGENCY FILE NUMBER :

DOCUMENT INFORMATION

ORIGINATOR : FBI
FROM :
TO :

TITLE :

DATE : 08/17/64
PAGES : 2

SUBJECTS :
LANE, MARK

DOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT
CLASSIFICATION : C
RESTRICTIONS : REFERRED *4*
CURRENT STATUS : *Referred with Release*
DATE OF LAST REVIEW : *10/19/04*

OPENING CRITERIA :

COMMENTS :
P. 1-2; BOX F03

[R] - ITEM IS RESTRICTED



In Reply, Please Refer to
File No.

~~CONFIDENTIAL~~
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Commission No. 1457

WASHINGTON, D.C. 20535

August 17, 1964

MARK LANE

On August 5, 1964, T-1, a confidential source abroad,
furnished information as follows:

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

~~CONFIDENTIAL~~
~~Group I~~
~~Excluded from automatic~~
~~downgrading and~~
~~declassification~~

5668 SLD/KCL
(1X6)

(JFK) 4/28/98

~~CONFIDENTIAL~~

[REDACTED] (C)

[REDACTED] (C)

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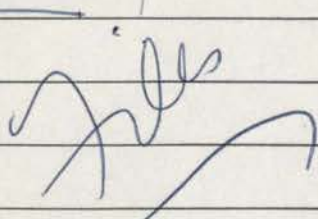
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[REDACTED] (C)

~~CONFIDENTIAL~~

GENERAL SERVICES ADMINISTRATION ROUTING SLIP											
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
1. <i>F. J. Files</i>											
2.											
3.											
4.											
5.											
<input type="checkbox"/> ALLOTMENT SYMBOL <input type="checkbox"/> APPROVAL <input type="checkbox"/> AS REQUESTED <input type="checkbox"/> CONCURRENCE <input type="checkbox"/> CORRECTION <input type="checkbox"/> FILING <input type="checkbox"/> FULL REPORT <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____				<input type="checkbox"/> HANDLE DIRECT <input type="checkbox"/> IMMEDIATE ACTION <input type="checkbox"/> INITIALS <input type="checkbox"/> NECESSARY ACTION <input type="checkbox"/> NOTE AND RETURN <input type="checkbox"/> PER OUR CONVERSATION <input type="checkbox"/> PER TELEPHONE CONVERSATION				<input type="checkbox"/> READ AND DESTROY <input type="checkbox"/> RECOMMENDATION <input type="checkbox"/> SEE ME <input type="checkbox"/> SIGNATURE <input type="checkbox"/> YOUR COMMENT <input type="checkbox"/> YOUR INFORMATION <input type="checkbox"/>			
REMARKS											
<p><i>No further investigation necessary. The Commission knows who the police officer and girl are. Both have given depositions. Moreover, we have questioned Kelly about this encounter. Therefore, there is no purpose to going down to Belle.</i></p> <p style="text-align: right;"><i>JPW</i></p>											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
						TELEPHONE			DATE		

GENERAL SERVICES ADMINISTRATION ROUTING SLIP											
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
1.	<i>Mr. Willens</i>										
2.	<i>Mr. Sullivan</i>										
3.	<i>File</i>										
4.											
5.											
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REMARKS <div style="text-align: center; margin-top: 20px;"> <i>Howard,</i> The article doesn't say Belli "cannot identify" the police officer. ^(et al) It says he couldn't locate them. I think Belli should be asked where his info comes from and it should be traced to its source. If Ruby has told Belli, perhaps Ruby should be interviewed on the allegation. <div style="text-align: right; font-weight: bold;">B W G</div> </div>											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
<i>R. Shirley</i>								<i>8/19</i>			

OFFICE OF THE DIRECTOR



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D. C.

August 19, 1964

BY COURIER SERVICE

*Other Individuals and Organizations
Involved or Interviewed*

Belli, Melvin

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

In reply to your letter of August 4, 1964, enclosing a copy of a telegram to the President's Commission from Mr. Mark Lane, there are enclosed herewith two copies of the July-August, 1964, issue of "Fact" magazine.

The statement attributed by Mr. Lane to Mr. Melvin Belli concerning a Dallas Police Officer and another who sought on November 23, 1963, to have Ruby approve the idea of killing Oswald appears on page 13 of this magazine. The article quotes Mr. Belli as stating that "the cop and his girl just disappeared" and he could never locate them. Since Mr. Belli cannot identify the Dallas Policeman and the girl friend referred to by him, interview of Mr. Belli concerning this statement would not appear warranted.

As you are aware, Jack Ruby has identified the police officer and his girl friend as former Dallas Police Officer Harry Olsen and Kathy Kay Coleman, a former employee of Ruby's. Interviews of Olsen and Coleman and related investigation do not indicate they sought any such approval from Ruby.

(2)

*KP
Lane, Mark*

GA 17BI

Honorable J. Lee Rankin

In view of the above and in accordance with the telephonic discussion of Mr. J. William Hines of this Bureau with Mr. Burt Griffin of the President's Commission on August 17, 1964, Mr. Belli will not be interviewed concerning this matter, and no further investigation concerning the article appearing in "Fact" magazine will be conducted unless specifically requested by the President's Commission.

Sincerely yours,

J. Edgar Hoover

Enclosures (2)



In Reply, Please Refer to
File No.

Commission No. 1439

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

K.P.
Lane, Mark

Dallas, Texas
August 21, 1964

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY,
NOVEMBER 22, 1963, DALLAS, TEXAS

By letter dated August 3, 1964, the President's Commission on the Assassination of President Kennedy advised that Mark Lane had testified before the Commission about an allegation that on November 14, 1963, there was a two-hour meeting at the Carousel Club between Bernard Weissman, Officer J. D. Tippit, and Jack Ruby. In connection with this allegation, the Commission requested that photographs of Bernard Weissman and J. D. Tippit be obtained and exhibited to George Senator, Andrew Armstrong, Larry Craford, Karen Bennet, Carlin, Nancy Powell, and William D. Crowe in order to determine whether any of these individuals observed Weissman or Tippit at the Carousel Club at any time and whether any of these persons observed a meeting such as that described by Lane.

Furthermore, the Commission requested that Bernard Weissman be reinterviewed to determine his whereabouts on November 14, 1963, and in particular the evening hours.

The Commission also requested that Mrs. J. D. Tippit be reinterviewed as to whether or not she was aware of any contact between her late husband and Bernard Weissman.

The Commission further noted that Ruby claims he did not know Officer J. D. Tippit, who was killed on November 22, 1963, but he did know another member of the Dallas Police Department by the name of Tippit. The Commission requested that this latter officer be interviewed to determine the extent of his relationship, if any, with Jack Ruby.

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

On August 20, 1964, Andrew Armstrong, Jr., Apartment C, 3821 Dixon Street, a warehouse employee at Goodman Produce Company, 1000 South Central Expressway, Dallas, advised upon viewing photographs of both Bernard Weissman and J. D. Tippit that he had never seen either individual before at any time, including the date of November 14, 1963, at the Carousel Club. Armstrong stated that Jack Ruby had mentioned to him at the time of the radio broadcast about Officer Tippit being shot that he, Ruby, knew Tippit; however, Ruby subsequently mentioned to Armstrong that it was another Tippit that was shot, and not the one he knew.

On August 20, 1964, Karen Bennett Carlin, Apartment 2, 1054 West Allen Street, Fort Worth, Texas, advised upon viewing photographs of J. D. Tippit and Bernard Weissman that she had never seen either of these two men talking together or with Jack Ruby prior to the assassination of President Kennedy in November, 1963.

Carlin noted that after Jack Ruby shot Lee Harvey Oswald on November 24, 1963, there was a man who worked at the Carousel Club in Dallas, where she worked as a strip-tease performer, who vaguely resembled the photograph of Bernard Weissman, and who worked taking cover charges and generally helping around the club. She stated she did not know this man's name, could not describe him, and did not know from where he came. She stated he was there at the club only a few nights, and she never did learn his name. She noted that she could not positively state that this person was Bernard Weissman, but he had a general appearance of Weissman. She further noted that it was very dark in the club and it was possible that she could be mistaken.

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

Nancy Powell, 1217 Clarence Street, Fort Worth, Texas, advised on August 17, 1964, that she has performed in the past in a strip-tease act at the Carousel Club in Dallas, Texas, when that club was operated by Jack Ruby. Upon viewing photographs of Bernard Weissman and J. D. Tippit, Miss Powell stated that she has never seen either Weissman or Tippit in a meeting together at the Carousel Club with Jack Ruby or anyone else. She does not know Weissman or Tippit.

On August 7, 1964, Mrs. Marie Tippit, 238 Glencairn, Dallas, advised that she is the wife of deceased Dallas Police Officer J. D. Tippit, who was killed on November 22, 1963. Mrs. Tippit viewed two different photographs of her late husband which had been obtained on August 6, 1964, from the Dallas Police Department, and she noted that the photograph of her husband in plain street clothes was taken in 1952, and the other photograph of Officer Tippit in a policeman's uniform was a snapshot taken in 1957. She noted that the latter photograph is the better likeness of her deceased husband. Mrs. Tippit stated that she has no additional good photographs of her husband as he had always neglected having a studio photograph made of himself.

Mrs. Tippit advised that Bernard Weissman is unknown to her, and she does not recall her husband ever having mentioned his name or having known such an individual.

On December 16, 1963, Gayle M. Tippit, Detective, Special Service Bureau, Dallas Police Department, advised that he first began working for the Dallas Police Department in 1950, and soon thereafter, he met Jack Ruby, who was at that time operating the Silver Spur Night Club at 1717 South Ervay, in Dallas. Tippit was assigned to this area, and it was his duty to periodically check the Silver Spur, which was a combination dance hall and beer tavern. During this period of time, he became very well acquainted with Jack Ruby. He noted

ASSASSINATION OF PRESIDENT
JOHN FITZGERALD KENNEDY

that Ruby acted as his own bouncer and would forcibly expel anyone who caused trouble at the club. Ruby was very friendly and helpful to the patrolling officers and requested no special favors of the officers.

In subsequent years Gayle Tippit had occasion to contact Ruby while the latter was operating the Vegas Club and the Carousel Club although his contacts in recent years have been infrequent. Tippit personally had no knowledge of any illegal activities on the part of Ruby, such as gambling, narcotics or prostitution.

Detective Tippit advised he had not known Lee Harvey Oswald prior to the assassination of President Kennedy and had no information indicating a connection between Oswald and Ruby.

Detective Tippit stated that on November 24, 1963, he was on duty on the second floor of the Municipal Building at the time Oswald was slain by Ruby. Tippit was in the office of the Special Service Bureau and had no opportunity to see what was going on in the basement of the building. He did not see Ruby on that date. Tippit was not aware of the security plans concerning the transfer of Oswald to the County Jail but did note that he had to identify himself to patrolmen on duty on the third floor when he had occasion to go to that floor on the morning of November 24, 1963.

OFFICE OF THE DIRECTOR

Commission No. 1418



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

August 21, 1964

BY COURIER SERVICE

K.P. Mark Lane

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, Northeast
Washington, D. C.

Dear Mr. Rankin:

Reference is made to your undated letter received on July 29, 1964, concerning the appearance of Mr. Mark Lane on the Barry Gray radio program over Station WMCA in New York City.

Enclosed are two copies of a communication from our Dallas Office dated August 7, 1964, pertaining to our investigation of the allegation made by Mr. Lane alleging the existence of another female eyewitness to the murder of Officer J. D. Tippit. The files of this Bureau fail to disclose that Mr. Lane or anyone associated with him has ever furnished any information to the FBI indicating the existence of a second female eyewitness to the Tippit murder. No such individual has been identified or interviewed by this Bureau and had we knowledge of such a witness you would have been promptly notified.

Also enclosed are the two original recording tapes furnished with referenced letter and two copies of a verbatim transcription of the program prepared by this Bureau. A copy of each recording tape has been made and both will be maintained for future reference.

Honorable J. Lee Rankin

The alleged announcements made by representatives of this Bureau, which are discussed on pages three and four of the enclosed transcription, are completely without foundation as no such announcements were made.

No further action is being taken in this matter.

Sincerely yours,

J. Edgar Hoover

Enclosures (6)

Date : 03/18/98
Page : 1

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : WC
RECORD NUMBER : 179-40006-10099
RECORDS SERIES : 09: LANE, MARK
AGENCY FILE NUMBER :

DOCUMENT INFORMATION

ORIGINATOR : FBI
FROM : HOOVER, J. EDGAR
TO : RANKIN, J. LEE
TITLE :
DATE : 08/26/64
PAGES : 1
SUBJECTS : LANE, MARK, APPEARANCE IN FLORENCE

DOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT
CLASSIFICATION : UNCLASSIFIED
RESTRICTIONS : OPEN IN FULL
CURRENT STATUS : OPEN
DATE OF LAST REVIEW : 02/11/95
OPENING CRITERIA :
COMMENTS : UNNUMBERED

[R] - ITEM IS RESTRICTED

OFFICE OF THE DIRECTOR



~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

KP
LANE, MARK

GAT
FBI

August 26, 1964

BY COURIER SERVICE

Honorable J. Lee Rankin
General Counsel
The President's Commission
200 Maryland Avenue, N. E.
Washington, D. C.

DECLASSIFIED BY SP8 MAC/KSR
ON 2-13-95 (JFK)

Dear Mr. Rankin:

There are enclosed two copies of a memorandum dated August 10, 1964, setting forth an account of an appearance of Mark Lane in Florence, Italy, on June 17, 1964.

Upon detachment from the classified enclosures, this letter may be regarded as unclassified.

Sincerely yours,

J. Edgar Hoover

Enclosures (2)

REVIEWED BY FBI/JFK TASK FORCE

ON 2/11/95 ddb

- ☒ RELEASE IN FULL
☐ RELEASE IN PART
☐ TOTAL DENIAL

~~CONFIDENTIAL~~

Date : 03/18/98
Page : 1

JFK ASSASSINATION SYSTEM
IDENTIFICATION FORM

AGENCY INFORMATION

AGENCY : WC
RECORD NUMBER : 179-40004-10335
RECORDS SERIES : 09: LANE, MARK
AGENCY FILE NUMBER :

DOCUMENT INFORMATION

ORIGINATOR : FBI
FROM :
TO :
TITLE :
DATE : 08/10/64
PAGES : 3
SUBJECTS : LANE, MARK, APPEARANCE IN FLORENCE, ITALY

DOCUMENT TYPE : PAPER, TEXTUAL DOCUMENT
CLASSIFICATION : UNCLASSIFIED
RESTRICTIONS : OPEN IN FULL
CURRENT STATUS : OPEN
DATE OF LAST REVIEW : 02/11/95
OPENING CRITERIA :
COMMENTS : TWO COPIES; P. 1-3

[R] - ITEM IS RESTRICTED

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

August 10, 1964

CIA HAS NO OBJECTION TO
DISSEMINATION AND/OR
RELEASE OF INFORMATION
IN THIS DOCUMENT. JBH 9-29-93

MARK LANE

DECLASSIFIED BY 9803 RDD/KAT
ON 10-4-98 JFK

Another Government agency having investigative jurisdiction abroad made available the following information on August 4, 1964:

On June 17, 1964, at the premises occupied by the communist-inspired Cultural Center of Florence, Italy, located at Via Ghibellina #87, there took place the preannounced speech of American Attorney MARK LANE on the theme "How Was President Kennedy Killed?"

MARK LANE was born at New York, New York, on February 24, 1927, possesses passport number 067352, issued at San Francisco, California, on March 25, 1964, and arrived at Florence, Italy, during the evening of June 17, 1964, where he stayed at the Hotel Carlton Florence. He was accompanied by ANNALISE DABELSTEEN, who was born in Denmark on May 15, 1941, is a Danish citizen, and possesses passport number 2301298, issued July 5, 1961, at Nikobin.

The event held on the evening of June 17, 1964, was organized by the Cultural Center and by the Italian Association of Democratic Jurists. Some seventy persons attended the event.

MARK LANE was officially introduced at the event by communist Attorney PASQUALE FILASTO who, after a lengthy discourse on the purposes of the meeting, gave a full biographic account concerning LANE. In particular he noted that LANE is a lawyer who specializes in judicial actions of public law;

~~CONFIDENTIAL~~

REVIEWED BY FBI/JFK TASK FORCE

ON 2/11/95 dale

- ☒ RELEASE IN FULL
☐ RELEASE IN PART
☐ TOTAL DENIAL

GROUP 1

Excluded from automatic
downgrading and
declassification

~~CONFIDENTIAL~~

Re: MARK LANE

that LANE is occupied with the problem of racial segregation; that because of his firm positions favoring integration he has been tried and acquitted; that he was a deputy of the State of New York for the support received by President Kennedy during the course of the election campaign (sic); that he had been requested by the mother of LEE HARVEY OSWALD to defend the memory of her son; that this activity had caused him to receive a series of threats by letter and by telephone in the United States; that in the United States he is compelled to travel under police protection; that after having tried to have the thesis of the innocence of OSWALD prevail in America, he is holding a series of conferences in Europe; and that he recently had had similar debates in Paris, Budapest, Copenhagen, and Rome aimed at determining the opinions of Europeans concerning the assassination of President Kennedy.

LANE gave his talk in the English language. His remarks were translated simultaneously into the Italian language by an interpreter. LANE'S comments were kept on a strictly juridical and technical level.

Basing his remarks upon the innocence of OSWALD, LANE illustrated by convincing arguments the thesis of which he has made himself the sustainer and propagandist, that is, to find an exact answer to the tragic questions posed by one of the most difficult problems of American history.

The "Kennedy Case" which by hurried, contradictory, and self-serving conclusions the commission of inquiry had decided to consider closed is, instead, still unsolved and requires that the following be done:

That light be shown on the shadows which burden the assassination above and beyond the versions of the facts as given to the American public by propaganda; that true significance be given to the event; that the truth be found by investigating, seriously and impartially, the difficult political undercurrents in which are hidden the true interests, authors, and instigators of the crime.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Re: MARK LANE

After a detailed review of the events which preceded and followed the death of the President, LANE, by a systematic selection of conclusions, now critical and then again with humorous shadings, spoke of the versions which gushed forth from the investigations of the police.

He concluded reaffirming his conviction that behind the secrecy of the FBI and of the commission of inquiry there are hidden events of which the American people have not been made aware.

To lend weight to his thesis, LANE made use of documentation which he has from time to time shown to the public. In particular, he read from and commented on copies of the magazine "Life" and photographs showing OSWALD with the crime weapon; copies of his testimony made behind closed doors to the commission of inquiry (After having read the first part of this document, he revealed that the document was classified "Top Secret" for which reason every revelation made by him, according to American law, constitutes a grave crime); photostatic copies of confidential documents which came from the archives of the police of Dallas; and copies of the results from medical and laboratory reports.

He also made use of a panel upon which had been drawn the itinerary followed by the Presidential cortege up to the moment of the crime.

At the conference LANE was to have followed his talk with a public debate which, however, did not take place because of the lateness of the hour.

LANE and ANNALISE DABELSTEEN left Florence on June 18, 1964.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON, D.C. 20535

August 10, 1964

**CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT.**

JBH

MARK LANE

9-29-93

DECLASSIFIED BY

9803 RDD/6A7
10-4-93 (JFK)

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~~CONFIDENTIAL~~

GROUP 1
Excluded from automatic
downgrading and
declassification

REVIEWED BY FBI/JFK TASK FORCE

ON 2/11/95 date

☒ RELEASE IN FULL☐ RELEASE IN PART☐ TOTAL DENIAL

~~CONFIDENTIAL~~

Re: MARK LANE

that LANE is occupied with the problem of racial segregation; that because of his firm positions favoring integration he has been tried and acquitted; that he was a deputy of the State of New York for the support received by President Kennedy during the course of the election campaign (sic); that he had been requested by the mother of LEE HARVEY OSWALD to defend the memory of her son; that this activity had caused him to receive a series of threats by letter and by telephone in the United States; that in the United States he is compelled to travel under police protection; that after having tried to have the thesis of the innocence of OSWALD prevail in America, he is holding a series of conferences in Europe; and that he recently had had similar debates in Paris, Budapest, Copenhagen, and Rome aimed at determining the opinions of Europeans concerning the assassination of President Kennedy.

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That light be shown on the shadows which burden the assassination above and beyond the versions of the facts as given to the American public by propaganda; that true significance be given to the event; that the truth be found by investigating, seriously and impartially, the difficult political undercurrents in which are hidden the true interests, authors, and instigators of the crime.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Re: MARK LANE

After a detailed review of the events which preceded and followed the death of the President, LANE, by a systematic selection of conclusions, now critical and then again with humorous shadings, spoke of the versions which gushed forth from the investigations of the police.

He concluded reaffirming his conviction that behind the secrecy of the FBI and of the commission of inquiry there are hidden events of which the American people have not been made aware.

To lend weight to his thesis, LANE made use of documentation which he has from time to time shown to the public. In particular, he read from and commented on copies of the magazine "Life" and photographs showing OSWALD with the crime weapon; copies of his testimony made behind closed doors to the commission of inquiry (After having read the first part of this document, he revealed that the document was classified "Top Secret" for which reason every revelation made by him, according to American law, constitutes a grave crime); photostatic copies of confidential documents which came from the archives of the police of Dallas; and copies of the results from medical and laboratory reports.

He also made use of a panel upon which had been drawn the itinerary followed by the Presidential cortege up to the moment of the crime.

At the conference LANE was to have followed his talk with a public debate which, however, did not take place because of the lateness of the hour.

LANE and ANNALISE DABELSTEEN left Florence on June 18, 1964.

~~CONFIDENTIAL~~

File unnumbered
45

~~CONFIDENTIAL~~

101 MARK LANE

After a detailed review of the events which preceded and followed the death of the President, LANE, by a systematic selection of comments, now critical and then again with humorous remarks, spoke of the versions which seemed least like the investigations of the police.

He conducted testifying his conviction that behind the mystery of the FBI and of the commission of inquiry there are hidden events of which the American people have not been made aware.

To lend weight to his thesis, LANE made use of documentation which he has taken to him from the public. In particular, he read from and commented on copies of the magazine "Life" and photographs showing Oswald with the time magazine copies of his testimony made behind closed doors to the commission of inquiry (After having read the first part of this document, he revealed that the document was classified "Top Secret" for which reason every revelation made by him, according to American law, constitutes a grave criminal offense. He then presented a copy of confidential documents which were given to the commission of the police of Dallas and copies of the results from medical and laboratory reports.

He also made use of a press report which had been drawn the literary followed by the Presidential coverage up to the moment of the crime.

At the conference LANE was to have followed his talk with a public debate which, however, did not take place because of the lateness of the hour.

LANE and ANNALISE DARRINGTON left Phoenix on June 18, 1964.

~~CONFIDENTIAL~~

Commission No. 1487

18



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON 25, D.C.

August 31, 1964

In Reply, Please Refer to
File No.

MARK LANE

T-1, a confidential

advised as follows

on

16. QUESTIONS ON THE ASSASSINATION

The official version of the assassination of President Kennedy has been so riddled with contradictions that it has been abandoned and rewritten no less than three times. Blatant fabrications have received very widespread coverage by the mass media, but details of these same lies have gone unpublicized. Photographs, evidence and affidavits have been doctored out of ready access. Some of the most important aspects of the case against Lee Harvey Oswald have been completely blacked out. Meanwhile the F.B.I., the police and the Secret Service have tried to silence any witnesses or frustrate them what evidence to give. Others involved have disappeared or died in extraordinary circumstances.

It is facts such as these that demand attention, and which the Warren Commission should have regarded as vital. Although I am writing before the publication of the Warren Commission's report, leaks to the press have made much of its contents for months. Because of the high office of its members and the fact of its establishment by President Johnson, the Commission has been widely regarded as a body of holy men appointed to pronounce the Truth. An impartial examination of the surmise and conduct of the Commission suggests quite otherwise.

The Warren Commission has been utterly unrepresentative of the American people. It consisted of two Democrats, Senator Russell of Georgia and Congressman Rogers of Louisiana, both of whom whose views have brought shame on the United States; two Republicans, Senator Cooper of Kentucky and Congressman Gerald A. Ford of Michigan, the latter of whom is leader of his local civil rights movement, a former member of the F.B.I. and is known in Washington as the spokesman for that institution; Allan Dulles, former director of the C.I.A.; and Mr. McCloy, who has been referred to as the spokesman for the business community. Membership of the filibuster in the Senate against the Civil Rights Bill prevented Senator Cooper from attending a single hearing during this period. The Chief Justice of the United States Supreme Court, Earl Warren, who rightly or wrongly respect, was finally persuaded, much against his will, to preside over the Commission, and it was his involvement above all others that helped lend the Commission an aura of legitimacy and authority. The many of its members were also members of what may be called the "Establishment" and so much to distort and suppress the facts about the assassination. Because of their connection with the Government, not one of them would have been permitted under American law to serve on a jury or to face a criminal trial. It is small wonder that the Chief Justice himself remarked: "You may never know all of the facts in your life." Here, then, is my first question: How were all the members of the Warren Commission closely connected with the U.S. Government? If the composition of the Commission is as above, how can it be considered an impartial body? No counsel was permitted to act for Oswald, so that cross-examination was barred. Later, when prosecutors, the Commission appointed the President of the American Bar Association, Walter Craig, one of the leaders of the civil rights movement in Arizona, to represent Oswald. To my knowledge he did not attend a single hearing, but satisfied himself with representation by others. In the name of national security, the Commission's hearings were held in secret, thereby continuing the policy which has marked the entire course of the case. This prompts my second question: If Oswald told Oswald was the lone gunman, how is the charge of conspiracy? Wanted, precisely the same question must be put: how was it possible in France during the Dreyfus case? If the Government is so certain of its case, why has it conducted all its proceedings in the strictest secrecy?

At the outset the Commission appointed six panels whom it thought would conduct its inquiry. The considerations: (1) How did Oswald die on November 22, 1963? (2) What was Oswald's background? (3) What did Oswald do in the U.S. Armed Forces, and in the Soviet Union? (4) How did Ruby kill Oswald? (5) What is Ruby's background? (6) What efforts were taken to protect the President on November 22? This raises my fourth question: Why did the Warren Commission conduct a trial to deal with the question of Oswald's guilt, and not the question of his identity?

All the evidence given to the Commission has been classified "Top Secret", including even a request that hearings be held in public. Despite this the Commission itself leaked much of the evidence to the press, though only if the evidence tended to prove Oswald was the lone assassin. Thus Chief Justice Warren held a press conference after Oswald's wife, Marina, had testified, he said, that she believed her husband was the assassin. Before Oswald's brother, Robert, testified, he gained the Commission's agreement never to comment on what he said. After he had testified for two days, Alvin Diles remained in the hearing room and several members of the press entered. The next day the newspapers were full of stories that "a member of the Commission" had told the press that Robert Oswald had just testified that he believed that his brother was an agent of the Soviet Union. Robert Oswald was outraged by this, and said that he could not remain silent while lies were told about his testimony. He had never said this and he had never believed it. All that he had told the Commission was that he believed his brother was innocent and was in no way involved in the assassination.

The methods adopted by the Commission have indeed been deplorable, but it is important to challenge the entire role of the Warren Commission. It stated that it would not conduct its own investigation, but rely instead on the existing governmental agencies - the F.B.I., the Secret Service and the Dallas police. Confidence in the Warren Commission thus presupposes confidence in these three institutions. Why have so many liberals abandoned their own responsibility to a Commission whose circumstances they refuse to examine?

It is known that the strictest and most elaborate security precautions ever taken for a President of the United States were ordered for November 22 in Dallas. The city had a reputation for violence and was the home of some of the most extreme right-wing fanatics in America. Mr. & Mrs. Lyndon Johnson had been assailed there in 1960 when he was a candidate for the Vice-Presidency. Adolf Brownson had been physically attacked when he spoke in the city only a month before Kennedy's visit. On the morning of November 22, the Dallas Morning News carried a full-page advertisement warning the President and his entourage. The city was covered with posters warning the President's picture was posted "Watch for Oswald". The Dallas list of subscribers comprised 23 names, of which Oswald's was the first. All of them were followed that day, except Oswald. Why did the authorities fail to take potential assassins every single step? Why did they fail to check the Dallas list of subscribers? Why did they fail to check the Dallas list of subscribers? Why did they fail to check the Dallas list of subscribers?

The President's route for his drive through Dallas was widely known and was printed in the Dallas Morning News on November 22. At the last minute the Secret Service changed a small part of their plans so that the President left Main Street and turned into Houston and Elm Streets. This alteration took the President past the book depository building from which it is alleged that Oswald shot him. How Oswald is supposed to have known of this change has never been explained. Why was the President's route changed at the last minute to take him past Oswald's office building?

After the assassination and Oswald's arrest, judgement was pronounced swiftly: Oswald was the assassin, and he had acted alone. No attempt was made to arrest others, no road blocks were set up round the area, and every piece of evidence which tended to incriminate Oswald was announced to the press by the Dallas District Attorney, Mr. Wade. In such a way millions of people were prejudiced against Oswald before there was any opportunity for him to be brought to trial. The first theory announced by the authorities was that the President's car was in Houston Street, approaching the book depository building, when Oswald opened fire. When available photographs and eye-witnesses had shown this to be quite untrue, the theory was abandoned and a new one formulated which placed the vehicle in its correct position. Meanwhile, however, S.A. Wade had announced that three days after Oswald's reap in Dallas had been arrested, a map had been found there on which the book depository building had been circled and dotted lines drawn from the building to a warehouse on Houston Street. After

the first theory was proved false, the Associated Press put out the following story on November 27: "Dallas authorities announced today that there never was a map. Any reference to the map was a mistake."

The second theory correctly placed the President's car on Elm Street, 50 to 75 yards past the book depository, but had to contend with the difficulty that the President was shot from the front, in the throat. How did Oswald manage to shoot the President in the front from behind? The P.H.I. held a series of background briefing sessions for Life magazine, which in its issue of December 6 explained that the President had turned completely round just at the time he was shot. This, too, was soon shown to be entirely false. It was denied by several witnesses and films, and the previous issue of Life itself had shown the President looking forward as he was hit. Theory number two was abandoned.

In order to retain the basis of all official thinking, that Oswald was the lone assassin, it now became necessary to construct a third theory with the medical evidence altered to fit it. For the first month no Secret Service agent had ever spoken to the three doctors who had tried to save Kennedy's life in the Parkland Memorial Hospital. Now two agents spent three hours with the doctors and persuaded them that they were all mistaken: the entrance wound in the President's throat had been an exit wound, and the bullet had not ranged down towards the lungs. Asked by the press how they could have been so mistaken, Dr. McClelland gave two reasons: they had not seen the autopsy report - and they had not known that Oswald was behind the President. The autopsy report, they had been told by the Secret Service, showed that Kennedy had been shot from behind. The agents, however, had refused to show the report to the doctors, who were entirely dependent upon the word of the Secret Service for this suggestion. The doctors made it clear that they were not permitted to discuss the case. The third theory, with the medical evidence rewritten, remains the basis of the case against Oswald. How has the medical evidence concerning the President's death been altered and misrepresented?

Although Oswald is alleged to have shot the President from behind, there are many witnesses who are certain that the shots came from the front. Among them are two reporters from the Fort Worth Star Telegram, four from the Dallas Morning News, and two people who were standing in front of the book depository building itself, the director of the book depository and the vice-president of the firm. It appears that only two people immediately entered the building, the director, Mr. Ray S. Searly, and a Dallas police officer, Sergeant Williams. A man shouted that the shots had come from in front of the President's vehicle. On first entering in that direction, Williams was informed by "someone" that he thought the shots had come from the building, so he rushed back there. Searly entered with him in order to assist with his knowledge of the building. Mr. Jesse Curry, however, the Chief of Police in Dallas, has stated that he was immediately convinced that the shots came from the building. If anyone else believes this, he has been reluctant to say so to date. It is also known that the first bulletin to go out on Dallas police radios stated that "the shots came from/triple crosses in front of the presidential automobile". In addition, there is the consideration that after the first shot the vehicle was brought almost to a halt by the trained Secret Service driver, an unlikely response if the shots had indeed come from behind. Certainly Mr. Roy Bell was, who was in charge of the Secret Service operation in Dallas that day, and travelled in the presidential car, looked to the front as the shots were fired. The Secret Service have removed all the evidence from the car, so as to be no longer possible to examine the broken windows. What is the evidence to substantiate the allegation that the President was shot from behind?

Photographs taken at the scene of the crime could be most helpful. One young lady standing just to the left of the presidential car as the shots were fired took photographs of the vehicle just before and during the shooting, and was thus able to tell us her view of the entire front of the book depository building. Two F.B.I. agents immediately took the film from her and have refused to this day to permit her to see the photographs which she took. How has the F.B.I. refused to exhibit what could be the most reliable evidence obtained in the whole case?

In this connection it is noteworthy also that it is impossible to obtain the originals of photographs of the various alleged murder weapons. When Time magazine published a photograph of Oswald's rifle - the only one ever seen - the entire background was blacked out for reasons which have never been explained. It is difficult to recall an occasion for so much falsification of photographs as has happened in the Oswald case.

The affidavit by Police Officer Weitzman, who entered the book depository building, stated that he found the alleged murder rifle on the sixth floor. (It was at first announced that the rifle had been found on the fifth floor, but this was soon altered.) It was a German 7.65 mm. Mauser. Into the following day, the F.B.I. issued its first proclamation. Oswald had purchased in March 1963 an Italian 6.5 mm. carbine. D.A. Wade immediately altered the nationality and size of his weapon to conform to the F.B.I. statement.

Several photographs have been published of the alleged murder weapon. On February 21, Life magazine carried on its cover a picture of "Lee Oswald with the weapons he used to kill President Kennedy and Officer Tippett". On page 60, Life explained that the photograph was taken during March or April of 1963. According to the F.B.I., Oswald purchased his pistol in September 1963. The New York Times carried a picture of the alleged murder weapon being taken by police into the Dallas police station. The rifle is quite different. Reports have stated that it would be impossible to pull the trigger on the rifle in Life's picture. The New York Times also carried the same photograph as Life, but left out the telescopic sights. On March 2, Reuters used the same photograph but painted in an entirely new rifle. Then on April 13 the Latin American edition of Life carried the same picture on its cover as the U.S. edition had on February 21, but in the same issue on page 16 it had the same picture with the rifle altered. How is it that millions of people have been misled by similar formulas in the press?

Another falsehood concerning the shooting was a story circulated by the Associated Press on November 23 from Los Angeles. This reported Oswald's former superior officer in the Marine Corps as saying that Oswald was a crack shot and a fast hand. The story was published everywhere. Three hours later A.P. came out with a correction denying the entire story from Los Angeles. The officer had changed his record and it had turned out that he was talking about another man. He had never known Oswald. To my knowledge this correction has yet to be published by a single major publication.

The Dallas police took a paraffin test of Oswald's face and hands to try to establish that he had fired a weapon on November 22. The chief of the Dallas Police, Jesse Curry, announced on November 23 that the results of the test "proves Oswald is the assassin". The Director of the F.B.I. in the Dallas-Fort Worth area in charge of the investigation stated: "I have seen the paraffin test. The paraffin test proves that Oswald had nitrate and gunpowder on his hands and face. It proves he fired a rifle on November 22." Not only was this unreliable test not prove any such thing, it was later discovered that the test on Oswald's face was in fact negative, suggesting that it was unlikely he fired a rifle that day. Why was the result of the paraffin test altered before being announced by the authorities?

Oswald, it will be recalled, was originally arrested and charged with the murder of Patrolman Tippett. Tippett was killed at 1.06 p.m. on November 22 by a man who first engaged him in conversation, then caused him to get out of the missionary police car in which he was sitting and shot him with a pistol. Miss Helen L. Markham, who claims that she is the sole eye-witness to this crime, gave the Dallas police a description of the assailant. After signing her affidavit, she was interrogated by the F.B.I., the Secret Service and many police officers that she was not permitted to discuss the case with anyone. The affidavit's only description of the killer was that he was a "young white man". Miss Markham later revealed that the killer had run right up to her and put her, brandishing the pistol, and she reported the description of the murderer which she had given to the police. He was, she said, "tall, heavy, and had bushy hair." (The police description of Oswald was that

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he was of average height, or a little taller, was slim and had reddish fair hair.) When Warren's affidavit is the entire case against Oswald for the murder of President Kennedy, yet District Attorney Wade asserted: "We have more evidence to prove Oswald killed Tippett than we have to show he killed the President." The case against Oswald for the murder of Tippett, he continued, was an absolutely strong case. Why was the only description of Tippett's killer deliberately omitted by the Dallas police in their affidavit to the Warren Commission?

Oswald's description was broadcast by the Dallas police only 12 minutes after the President was shot. This raises one of the most extraordinary questions ever posed in a murder case: Why was Oswald's description connected with the murder of President Kennedy broadcast over the Dallas police radio at 11:55 a.m. on November 22, when Tippett was not shot until 1:00 p.m.?

According to Mr. Bob Conscience, writing in the New York Journal, there had been another person who had heard the shots that were fired at Tippett. Warren Reynolds had heard shooting in the street from a nearby room and had rushed to the window to see the murderer run off. Reynolds himself was later shot through the head by a rifleman. A man was arrested for this crime but produced an alibi. His girl-friend, Betty Mooney McDonald, told the police she had taken with him at the time Reynolds was shot. The Dallas police immediately dropped the charges against him, even before Reynolds had time to recover consciousness and attempt to identify his assailant. The man at once disappeared, and two days later the Dallas police arrested Betty Mooney McDonald on a minor charge and it was announced that she had hanged herself in the police cell. There had been a striptease artist in Jack Ruby's nightclub, according to Mr. Conscience.

Another witness to receive extraordinary treatment in the Oswald case was his wife, Marina. She was taken to the jail while her husband was still alive and shown a rifle by Chief of Police Jesse Curry. When it is said Oswald's, she replied that she believed Oswald had a rifle but that it didn't look like that. She and her mother-in-law were in great danger following the assassination because of the threat of public revenge on them. At this time, they were unable to obtain a single police officer to protect them. Conscience says Oswald was killed, because the Secret Service thought he was the man who shot their wife. After three days they were reported as dead and had never again been accessible to the police. Still, Conscience has been harassed and questioned almost daily by the F.B.I. and Secret Service, and finally testified to the Warren Commission that, according to Earl Warren, said that she believed her husband was the assassin. The Chief Justice said that the next day they returned to Mrs. Oswald the service weapon and the Commission was fairly confident that she would identify it as her husband's. The following day Earl Warren announced that she had told him happened. Mrs. Oswald is still in the custody of the Secret Service. To isolate a witness for what would be to subject her to repeated questioning by the Secret Service in this matter is reminiscent of police behavior in other countries, where it is called "brain-washing. How was it possible for Earl Warren, as Conscience said, that Oswald's evidence would be taken and the evidence in Oswald's case destroyed?

After Ruby had killed Oswald, D.A. Wade made a statement about Oswald's movements following the assassination. He explained that Oswald had taken a bus, but he described the point at which Oswald had entered the vehicle as seven blocks away from the point located by the bus driver in his affidavit. Conscience, Wade continued, then took a taxi driven by a Derryl Click, who had signed an affidavit. An attorney at the City Transportation Company revealed that he had taken a taxi driver had over extended in Dallas. Conscience with this evidence, Wade altered the name to William Whaley. Wade had been D.A. in Dallas for 14 years and before that was an F.B.I. Agent. How was it possible that Wade, with his long experience as a D.A. and an F.B.I. Agent, would not have noticed the discrepancy between the evidence and the affidavit signed by the taxi driver?

There had only a few of the questions raised by the official versions of the assassination and by the way in which the case against Oswald has been conducted. Distorted questions are no substitute for a full examination of all the factors in this case, but I hope that this

indicate the importance of such an investigation. I am indebted to Mr. Mark Lane, the New York criminal lawyer who was appointed Counsel for Oswald by his mother, for much of the information in this article. Mr. Lane's enquiries, which are continuing, deserve widespread support. A Citizens' Committee of Inquiry has been established in New York for such a purpose, and comparable committees are being set up in Europe.

In Britain I invited people eminent in the intellectual life of the country to join a "Who Killed Kennedy Committee", which at the moment of writing consists of the following people: Mr. John Arden, playwright; Mrs. Carolyn Wedgwood Benn, from Cincinnati, wife of Anthony Wedgwood Benn, M.P.; Lord Boyd-Orr, former director-general of the U.N. Food and Agricultural Organisation and a Nobel Peace Prize Winner; Mr. John Calder, publisher; Professor William Empson, Professor of English Literature at Sheffield University; Mr. Michael Foot, Member of Parliament; Mr. Kingsley Martin, former editor of the New Statesman; Sir Compton Mackenzie, writer; Mr. J.B. Priestley, playwright and author; Sir Herbert Read, art critic; Mr. Tony Richardson, film director; Dr. Norvyn Stockwood, Bishop of Southwark; Professor Hugh Trevor-Roper, Regius Professor of Modern History at Oxford University; Mr. Kenneth Tynan, Literary Manager of the National Theatre; and myself.

We view the problem with the utmost seriousness. U.S. Embassies have long ago reported to Washington world-wide disbelief in the official charges against Oswald, but this has never been reflected by the American press. No U.S. television programme or mass circulation newspaper has challenged the permanent basis of all the allegations - that Oswald was the assassin, and that he acted alone. It is a task which is left to the American people.

Bertrand Russell.

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